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State of Minnesota
HOUSE OF REPRESENTATIVES

EIGHTY-NINTH SESSION

H. F. No. 844

02/12/2015 Authored by Loon

The bill was read for the first time and referred to the Committee on Education Finance

04/17/2015 Adoption of Report: Amended and re-referred to the Committee on Taxes

1.1 A bill for an act
1.2 relating to education; providing for funding and policy in early childhood,
1.3 kindergarten through grade 12, and adult education, including general education,
1.4 education excellence, standards and assessments, charter schools, special
1.5 education, facilities and technology, nutrition and accounting, libraries, early
1.6 childhood education, prevention, self-sufficiency and lifelong learning, state
1.7 agencies, and forecast adjustments; requiring rulemaking; appropriating money;
1.8 amending Minnesota Statutes 2014, sections 5A.03; 16A.103, subdivision
1.9 1c; 120A.41; 120B.02, subdivision 2; 120B.021, subdivision 4; 120B.022,
1.10 subdivisions 1, 1a, 1b; 120B.024, subdivision 2; 120B.11, subdivision 1a;
1.11 120B.12, subdivision 4a; 120B.125; 120B.13, subdivision 4; 120B.30,
1.12 subdivisions 1, 1a, 3; 120B.31, subdivision 4; 120B.36, subdivision 1; 121A.17,
1.13 subdivision 5; 122A.09, subdivision 4, by adding subdivisions; 122A.14,
1.14 subdivisions 3, 9, by adding a subdivision; 122A.18, subdivisions 2, 7c, 8;
1.15 122A.20, subdivision 1; 122A.21, subdivisions 1, 2; 122A.23; 122A.245,
1.16 subdivisions 1, 3, 7; 122A.25; 122A.30; 122A.31, subdivisions 1, 2; 122A.40,
1.17 subdivisions 5, 8, 10, 11, 13; 122A.41, subdivisions 2, 5, 6, 14; 122A.414,
1.18 subdivision 2; 122A.60; 122A.61, subdivision 1; 122A.69; 122A.70, subdivision
1.19 1; 123A.24, subdivision 1; 123A.75, subdivision 1; 123B.045; 123B.59,
1.20 subdivisions 6, 7; 123B.77, subdivision 3; 123B.88, subdivision 1, by adding
1.21 a subdivision; 124D.041, subdivisions 1, 2; 124D.09, subdivisions 5, 5a, 8, 9,
1.22 12; 124D.091, subdivision 1; 124D.10, subdivisions 1, 3, 4, 8, 9, 12, 14, 16,
1.23 23, by adding a subdivision; 124D.11, subdivisions 1, 9; 124D.121; 124D.122;
1.24 124D.126, subdivision 1; 124D.127; 124D.128, subdivision 1; 124D.13;
1.25 124D.135; 124D.16; 124D.165; 124D.531, subdivisions 1, 2, 3; 124D.73,
1.26 subdivisions 3, 4; 124D.74, subdivisions 1, 3, 6; 124D.75, subdivisions 1, 3,
1.27 9; 124D.76; 124D.78; 124D.79, subdivisions 1, 2; 124D.791, subdivision
1.28 4; 124D.861; 124D.862; 125A.01; 125A.023, subdivisions 3, 4; 125A.027;
1.29 125A.03; 125A.08; 125A.085; 125A.0942, subdivision 3; 125A.21; 125A.28;
1.30 125A.63, subdivisions 2, 3, 4, 5; 125A.75, subdivision 9; 125A.76, subdivisions
1.31 1, 2c; 125B.26, subdivision 2; 126C.10, subdivisions 1, 2, 2a, 2e, 3, 13a, 18, 24;
1.32 126C.13, subdivision 4; 126C.15, subdivisions 1, 2, 3; 126C.17, subdivisions
1.33 1, 2; 127A.05, subdivision 6; 127A.49, subdivision 1; 134.355, subdivisions 8,
1.34 9, 10; 135A.101, by adding a subdivision; 179A.20, by adding a subdivision;
1.35 Laws 2013, chapter 116, article 1, section 58, subdivisions 2, as amended, 3, as
1.36 amended, 4, as amended, 5, as amended, 6, as amended, 7, as amended, 11, as
1.37 amended; article 3, section 37, subdivisions 3, as amended, 4, as amended, 5, as
1.38 amended, 20, as amended; article 4, section 9, subdivision 2, as amended; article
1.39 5, section 31, subdivisions 2, as amended, 3, as amended, 4, as amended; article

2.1 6, section 12, subdivisions 2, as amended, 6, as amended; article 7, sections 19;
2.2 21, subdivisions 2, as amended, 3, as amended, 4, as amended; article 8, section
2.3 5, subdivisions 3, as amended, 4, as amended, 14, as amended; Laws 2014,
2.4 chapter 312, article 16, section 15; proposing coding for new law in Minnesota
2.5 Statutes, chapters 119A; 122A; 124D; 125A; repealing Minnesota Statutes
2.6 2014, sections 120B.128; 122A.40, subdivision 11; 125A.63, subdivision 1;
2.7 126C.12, subdivision 6; 126C.13, subdivisions 3a, 3b, 3c; 126C.41, subdivision
2.8 1; Minnesota Rules, part 3500.1000.

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

2.10 **ARTICLE 1**

2.11 **GENERAL EDUCATION**

2.12 Section 1. Minnesota Statutes 2014, section 120A.41, is amended to read:

2.13 **120A.41 LENGTH OF SCHOOL YEAR; HOURS OF INSTRUCTION.**

2.14 A school board's annual school calendar must include at least 425 hours of
2.15 instruction for a kindergarten student without a disability, 935 hours of instruction for a
2.16 student in grades 1 through 6, and 1,020 hours of instruction for a student in grades 7
2.17 through 12, not including summer school. The school calendar for all-day kindergarten
2.18 must include at least 850 hours of instruction for the school year. A school board's annual
2.19 calendar must include at least 165 days of instruction for a student in grades 1 through
2.20 11 unless a four-day week schedule has been approved by the ~~commissioner~~ board under
2.21 ~~section 124D.126~~ sections 124D.12 to 124D.127.

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

2.23 Sec. 2. Minnesota Statutes 2014, section 124D.11, subdivision 1, is amended to read:

2.24 Subdivision 1. **General education revenue.** (a) General education revenue must
2.25 be paid to a charter school as though it were a district. The general education revenue
2.26 for each adjusted pupil unit is the state average general education revenue per pupil unit,
2.27 plus the referendum equalization aid allowance in the pupil's district of residence, minus
2.28 an amount equal to the product of the formula allowance according to section 126C.10,
2.29 subdivision 2, times .0466, calculated without declining enrollment revenue, local optional
2.30 revenue, basic skills revenue, extended ~~time~~ support revenue, pension adjustment revenue,
2.31 transition revenue, and transportation sparsity revenue, plus declining enrollment revenue,
2.32 basic skills revenue, extended ~~time~~ support revenue, pension adjustment revenue, and
2.33 transition revenue as though the school were a school district.

2.34 (b) For a charter school operating an extended day, extended week, or summer
2.35 program, the general education revenue for each extended time pupil unit equals \$4,794

3.1 in paragraph (a) is increased by an amount equal to 25 percent of the statewide average
 3.2 extended support revenue per pupil unit.

3.3 **EFFECTIVE DATE.** This section is effective for fiscal year 2016 and later.

3.4 Sec. 3. Minnesota Statutes 2014, section 124D.121, is amended to read:

3.5 **124D.121 DEFINITION OF FLEXIBLE LEARNING YEAR PROGRAM.**

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

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

3.11 Sec. 4. Minnesota Statutes 2014, section 124D.122, is amended to read:

3.12 **124D.122 ESTABLISHMENT OF FLEXIBLE LEARNING YEAR PROGRAM.**

3.13 The board of any district or a consortium of districts, ~~with the approval of the~~
 3.14 ~~commissioner~~, may establish and operate a flexible learning year program in one or more of
 3.15 the day or residential facilities for children with a disability within the district. Consortiums
 3.16 may use a single ~~application and~~ evaluation process, though results, public hearings, and
 3.17 board approvals must be obtained for each district as required under appropriate sections.

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

3.19 Sec. 5. Minnesota Statutes 2014, section 124D.126, subdivision 1, is amended to read:

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

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

3.22 ~~(2) (1) cooperate with and provide supervision of flexible learning year programs~~
 3.23 ~~to determine compliance with the provisions of sections 124D.12 to 124D.127, the~~
 3.24 ~~commissioner's standards and qualifications, and the proposed program as submitted~~
 3.25 ~~and approved;~~

3.26 ~~(3) (2) provide any necessary adjustments of (a) (i) attendance and membership~~
 3.27 ~~computations and (b) (ii) the dates and percentages of apportionment of state aids; and~~

3.28 ~~(4) (3) consistent with the definition of "average daily membership" in section~~
 3.29 ~~126C.05, subdivision 8, furnish the board of a district implementing a flexible learning~~
 3.30 ~~year program with a formula for computing average daily membership. This formula must~~
 3.31 ~~be computed so that tax levies to be made by the district, state aids to be received by the~~

4.1 district, and any and all other formulas based upon average daily membership are not
4.2 affected solely as a result of adopting this plan of instruction.

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

4.4 Sec. 6. Minnesota Statutes 2014, section 124D.127, is amended to read:

4.5 **124D.127 TERMINATION OF FLEXIBLE LEARNING YEAR PROGRAM.**

4.6 The board of any district, ~~with the approval of the commissioner of education,~~ may
4.7 terminate a flexible learning year program in one or more of the day or residential facilities
4.8 for children with a disability within the district. This section shall not be construed to
4.9 permit an exception to section 120A.22, 127A.41, subdivision 7, or 127A.43.

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

4.11 Sec. 7. Minnesota Statutes 2014, section 124D.128, subdivision 1, is amended to read:

4.12 Subdivision 1. **Program established.** A learning year program provides instruction
4.13 throughout the year on an extended year calendar, extended school day calendar, or
4.14 both. ~~A pupil may participate in the program and accelerate attainment of grade level~~
4.15 ~~requirements or graduation requirements.~~ A learning year program may begin after the
4.16 close of the regular school year in June. The program may be for students in one or more
4.17 grade levels from kindergarten through grade 12.

4.18 Sec. 8. Minnesota Statutes 2014, section 126C.10, subdivision 1, is amended to read:

4.19 Subdivision 1. **General education revenue.** ~~(a) For fiscal years 2013 and 2014, the~~
4.20 ~~general education revenue for each district equals the sum of the district's basic revenue,~~
4.21 ~~extended time revenue, gifted and talented revenue, small schools revenue, basic skills~~
4.22 ~~revenue, secondary sparsity revenue, elementary sparsity revenue, transportation sparsity~~
4.23 ~~revenue, total operating capital revenue, equity revenue, alternative teacher compensation~~
4.24 ~~revenue, and transition revenue.~~

4.25 ~~(b) For fiscal year 2015 and later,~~ The general education revenue for each district
4.26 equals the sum of the district's basic revenue, extended time support revenue, gifted and
4.27 talented revenue, declining enrollment revenue, local optional revenue, small schools
4.28 revenue, basic skills revenue, secondary sparsity revenue, elementary sparsity revenue,
4.29 transportation sparsity revenue, total operating capital revenue, equity revenue, pension
4.30 adjustment revenue, and transition revenue.

4.31 Sec. 9. Minnesota Statutes 2014, section 126C.10, subdivision 2, is amended to read:

5.1 Subd. 2. **Basic revenue.** For fiscal year 2014, the basic revenue for each district
 5.2 equals the formula allowance times the adjusted marginal cost pupil units for the school
 5.3 year. For fiscal year 2015 and later, the basic revenue for each district equals the formula
 5.4 allowance times the adjusted pupil units for the school year. ~~The formula allowance for~~
 5.5 ~~fiscal year 2013 is \$5,224. The formula allowance for fiscal year 2014 is \$5,302. The~~
 5.6 ~~formula allowance for fiscal year 2015 and later is \$5,831. The formula allowance for~~
 5.7 ~~fiscal year 2016 is \$5,864. The formula allowance for fiscal year 2017 and later is \$5,898.~~

5.8 Sec. 10. Minnesota Statutes 2014, section 126C.10, subdivision 2a, is amended to read:

5.9 Subd. 2a. **Extended time support revenue.** (a) ~~A school district's extended time~~
 5.10 ~~revenue for fiscal year 2014 is equal to the product of \$4,601 and the sum of the adjusted~~
 5.11 ~~marginal cost pupil units of the district for each pupil in average daily membership in~~
 5.12 ~~excess of 1.0 and less than 1.2 according to section 126C.05, subdivision 8. A school~~
 5.13 ~~district's extended time support revenue for fiscal year 2015 and later is equal to the~~
 5.14 ~~product of \$5,017~~ \$5,117 and the sum of the adjusted pupil units of the district for each
 5.15 pupil in average daily membership in excess of 1.0 and less than 1.2 according to section
 5.16 126C.05, subdivision 8.

5.17 (b) A school district's extended time support revenue may be used for extended day
 5.18 programs, extended week programs, summer school, vacation break academies such as
 5.19 spring break academies and summer term academies, and other programming authorized
 5.20 under the learning year program. Extended support revenue may also be used by alternative
 5.21 learning centers serving high school students for academic purposes during the school day.

5.22 **EFFECTIVE DATE.** This section is effective for fiscal year 2016 and later.

5.23 Sec. 11. Minnesota Statutes 2014, section 126C.10, subdivision 2e, is amended to read:

5.24 Subd. 2e. **Local optional revenue.** (a) Local optional revenue for a school district
 5.25 equals \$424 times the adjusted pupil units of the district for that school year.

5.26 (b) A district's local optional levy equals its local optional revenue times the lesser
 5.27 of one or the ratio of its referendum market value per resident pupil unit to ~~\$510,000~~
 5.28 the local optional equalizing factor. The local optional revenue levy must be spread on
 5.29 referendum market value. A district may levy less than the permitted amount.

5.30 (c) A district's local optional aid equals its local optional revenue less its local
 5.31 optional levy, times the ratio of the actual amount levied to the permitted levy.

5.32 (d) A district's local optional equalizing factor equals \$510,000 times the greater of
 5.33 one or the ratio of the district's seasonal recreational factor to 0.30.

6.1 (e) A district's seasonal recreational factor equals the ratio of the market value of
6.2 property in the district classified as 4(c)12 under section 273.13 to the district's total
6.3 taxable market value under section 273.13.

6.4 **EFFECTIVE DATE.** This section is effective for taxes payable in 2017 and later.

6.5 Sec. 12. Minnesota Statutes 2014, section 126C.10, subdivision 3, is amended to read:

6.6 Subd. 3. **Compensatory education revenue.** (a) ~~For fiscal year 2014, the~~
6.7 ~~compensatory education revenue for each building in the district equals the formula~~
6.8 ~~allowance minus \$415 times the compensation revenue pupil units computed according to~~
6.9 ~~section 126C.05, subdivision 3. For fiscal year 2015~~ 2016 ~~and later, the compensatory~~
6.10 ~~education revenue for each building in the district equals the formula allowance for fiscal~~
6.11 ~~year 2015~~ minus \$839 times the compensation revenue pupil units computed according to
6.12 section 126C.05, subdivision 3.

6.13 (b) A district's compensatory revenue under paragraph (a) is increased by an amount
6.14 equal to the product of (1) the ratio of the statewide compensatory growth revenue to the
6.15 sum of the number of pupils in the district eligible to receive free lunch plus one-half of the
6.16 number of pupils eligible to receive reduced-price lunch on October 1 of the previous year,
6.17 and (2) the district's number of pupils eligible to receive free lunch plus one-half of the
6.18 number of pupils eligible to receive reduced-price lunch on October 1 of the previous year.

6.19 (c) Revenue shall be paid to the district and must be allocated according to section
6.20 126C.15, subdivision 2.

6.21 ~~(b)~~ (d) When the district contracting with an alternative program under section
6.22 124D.69 changes prior to the start of a school year, the compensatory revenue generated
6.23 by pupils attending the program shall be paid to the district contracting with the alternative
6.24 program for the current school year, and shall not be paid to the district contracting with
6.25 the alternative program for the prior school year.

6.26 ~~(e)~~ (e) When the fiscal agent district for an area learning center changes prior to the
6.27 start of a school year, the compensatory revenue shall be paid to the fiscal agent district
6.28 for the current school year, and shall not be paid to the fiscal agent district for the prior
6.29 school year.

6.30 (f) Statewide compensatory growth revenue equals the difference between
6.31 compensatory revenue computed under paragraph (a) with the formula allowance for the
6.32 current year and the revenue computed under paragraph (a) using the formula allowance
6.33 for fiscal year 2015.

6.34 **EFFECTIVE DATE.** This section is effective for fiscal year 2016 and later.

7.1 Sec. 13. Minnesota Statutes 2014, section 126C.10, subdivision 13a, is amended to read:

7.2 Subd. 13a. **Operating capital levy.** To obtain operating capital revenue for fiscal
7.3 year 2015 and later, a district may levy an amount not more than the product of its
7.4 operating capital revenue for the fiscal year times the lesser of one or the ratio of its
7.5 adjusted net tax capacity per adjusted ~~marginal-cost~~ pupil unit to the operating capital
7.6 equalizing factor. The operating capital equalizing factor equals \$14,500.

7.7 **EFFECTIVE DATE.** This section is effective the day following final enactment for
7.8 fiscal year 2015 and later.

7.9 Sec. 14. Minnesota Statutes 2014, section 126C.10, subdivision 18, is amended to read:

7.10 Subd. 18. **Transportation sparsity revenue allowance.** (a) A district's
7.11 transportation sparsity allowance equals the greater of zero or the result of the following
7.12 computation:

7.13 (i) Multiply the formula allowance according to subdivision 2, by .141.

7.14 (ii) Multiply the result in clause (i) by the district's sparsity index raised to the
7.15 $26/100$ power.

7.16 (iii) Multiply the result in clause (ii) by the district's density index raised to the
7.17 $13/100$ power.

7.18 (iv) Multiply the formula allowance according to subdivision 2, by .0466.

7.19 (v) Subtract the result in clause (iv) from the result in clause (iii).

7.20 (vi) Multiply the result in clause (v) by the greater of (1) one or (2) the ratio of the
7.21 square mile area of the district to 3,000.

7.22 (vii) For a district that does not qualify for secondary sparsity revenue under
7.23 subdivision 7 or elementary sparsity revenue under subdivision 8, multiply the result in
7.24 clause (vi) by the greater of (1) one or (2) the ratio of the square mile area of the district to
7.25 525.

7.26 (b) Transportation sparsity revenue is equal to the transportation sparsity allowance
7.27 times the adjusted pupil units.

7.28 **EFFECTIVE DATE.** This section is effective for revenue in fiscal year 2016 and
7.29 later.

7.30 Sec. 15. Minnesota Statutes 2014, section 126C.10, subdivision 24, is amended to read:

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

7.32 (1) the school district's adjusted pupil unit amount of basic revenue, transition
7.33 revenue, and referendum revenue is less than the value of the school district at or

8.1 immediately above the 95th percentile of school districts in its equity region for those
8.2 revenue categories; and

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

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

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

8.12 (d) A school district's equity revenue is increased by the greater of zero or an amount
8.13 equal to the district's adjusted pupil units times the difference between ten percent of the
8.14 statewide average amount of referendum revenue per adjusted pupil unit for that year and
8.15 the district's referendum revenue per adjusted pupil unit. A school district's revenue under
8.16 this paragraph must not exceed \$100,000 for that year.

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

8.19 (f) A school district's additional equity revenue equals \$50 times its adjusted pupil
8.20 units.

8.21 **EFFECTIVE DATE.** This section is effective for fiscal year 2017 and later.

8.22 Sec. 16. Minnesota Statutes 2014, section 126C.13, subdivision 4, is amended to read:

8.23 Subd. 4. **General education aid.** ~~(a) For fiscal years 2013 and 2014 only, a district's~~
8.24 ~~general education aid is the sum of the following amounts:~~

8.25 ~~(1) general education revenue, excluding equity revenue, total operating capital~~
8.26 ~~revenue, alternative teacher compensation revenue, and transition revenue;~~

8.27 ~~(2) operating capital aid under section 126C.10, subdivision 13b;~~

8.28 ~~(3) equity aid under section 126C.10, subdivision 30;~~

8.29 ~~(4) alternative teacher compensation aid under section 126C.10, subdivision 36;~~

8.30 ~~(5) transition aid under section 126C.10, subdivision 33;~~

8.31 ~~(6) shared time aid under section 126C.01, subdivision 7;~~

8.32 ~~(7) referendum aid under section 126C.17, subdivisions 7 and 7a; and~~

8.33 ~~(8) online learning aid according to section 124D.096.~~

8.34 ~~(b) For fiscal year 2015 and later, A district's general education aid equals:~~

- 9.1 (1) general education revenue, excluding operating capital revenue, equity revenue,
 9.2 local optional revenue, and transition revenue, ~~minus the student achievement levy,~~
 9.3 ~~multiplied times the ratio of the actual amount of student achievement levy levied to the~~
 9.4 ~~permitted student achievement levy;~~ plus
- 9.5 (2) operating capital aid under section 126C.10, subdivision 13b;
 9.6 ~~(2)~~ (3) equity aid under section 126C.10, subdivision 30; plus
 9.7 ~~(3)~~ (4) transition aid under section 126C.10, subdivision 33; plus
 9.8 ~~(4)~~ (5) shared time aid under section 126C.10, subdivision 7; plus
 9.9 ~~(5)~~ (6) referendum aid under section 126C.17, subdivisions 7 and 7a; plus
 9.10 ~~(6)~~ (7) online learning aid under section 124D.096; plus
 9.11 ~~(7)~~ (8) local optional aid according to section 126C.10, subdivision 2d, paragraph (d).

9.12 **EFFECTIVE DATE.** Clause (1) of this section is effective for fiscal year 2017 and
 9.13 later. Clause (2) of this section is effective for fiscal year 2015 and later.

9.14 Sec. 17. Minnesota Statutes 2014, section 126C.15, subdivision 1, is amended to read:

9.15 Subdivision 1. **Use of revenue.** The basic skills revenue under section 126C.10,
 9.16 subdivision 4, must be reserved and used to meet the educational needs of pupils who
 9.17 enroll under-prepared to learn and whose progress toward meeting state or local content
 9.18 or performance standards is below the level that is appropriate for learners of their age.
 9.19 Basic skills revenue may also be used for programs designed to prepare children and their
 9.20 families for entry into school whether the student first enrolls in kindergarten or first grade.
 9.21 Any of the following may be provided to meet these learners' needs:

9.22 (1) direct instructional services under the assurance of mastery program according
 9.23 to section 124D.66;

9.24 (2) remedial instruction in reading, language arts, mathematics, other content areas,
 9.25 or study skills to improve the achievement level of these learners;

9.26 (3) additional teachers and teacher aides to provide more individualized instruction
 9.27 to these learners through individual tutoring, lower instructor-to-learner ratios, or team
 9.28 teaching;

9.29 (4) a longer school day or week during the regular school year or through a summer
 9.30 program that may be offered directly by the site or under a performance-based contract
 9.31 with a community-based organization;

9.32 (5) recruitment and new teacher development activities through quality mentor-led
 9.33 induction or "grow your own" initiatives;

9.34 (6) a hiring bonus or other added compensation for a teacher identified as effective
 9.35 or highly effective under the local teacher professional review cycle who agrees to work

10.1 in a hard-to-fill position or hard-to-staff school setting such as a school with a majority
 10.2 of students whose families meet federal poverty guidelines, a geographically isolated
 10.3 school, or a school identified by the state as eligible for targeted programs or services
 10.4 for its students;

10.5 ~~(5)~~ (7) comprehensive and ongoing staff development consistent with district and
 10.6 site plans according to section 122A.60, for teachers, teacher aides, principals, and other
 10.7 personnel to improve their ability to identify the needs of these learners and provide
 10.8 appropriate remediation, intervention, accommodations, or modifications;

10.9 ~~(6)~~ (8) instructional materials, digital learning, and technology appropriate for
 10.10 meeting the individual needs of these learners;

10.11 ~~(7)~~ (9) programs to reduce truancy, encourage completion of high school, enhance
 10.12 self-concept, provide health services, provide nutrition services, provide a safe and secure
 10.13 learning environment, provide coordination for pupils receiving services from other
 10.14 governmental agencies, provide psychological services to determine the level of social,
 10.15 emotional, cognitive, and intellectual development, and provide counseling services,
 10.16 guidance services, and social work services;

10.17 ~~(8)~~ (10) bilingual programs, bicultural programs, and programs for English learners;

10.18 ~~(9) all-day kindergarten;~~

10.19 ~~(10)~~ (11) prekindergarten programs for four-year-olds and other early education
 10.20 programs, parent-training programs, school readiness programs, kindergarten programs
 10.21 for four-year-olds, voluntary home visits under section 124D.13, subdivision 4, and other
 10.22 outreach efforts designed to prepare children for kindergarten;

10.23 ~~(11)~~ (12) extended school day and extended school year programs including summer
 10.24 academies; and

10.25 ~~(12)~~ (13) substantial parent involvement in developing and implementing remedial
 10.26 education or intervention plans for a learner, including learning contracts between the
 10.27 school, the learner, and the parent that establish achievement goals and responsibilities of
 10.28 the learner and the learner's parent or guardian.

10.29 **EFFECTIVE DATE.** This section is effective July 1, 2015.

10.30 Sec. 18. Minnesota Statutes 2014, section 126C.15, subdivision 2, is amended to read:

10.31 Subd. 2. **Building allocation.** (a) Unless a plan has been adopted according to
 10.32 paragraph (b), a district or cooperative must allocate its compensatory revenue to each
 10.33 school building in the district or cooperative where the children who have generated the
 10.34 revenue are served unless the school district or cooperative has received permission under

11.1 ~~Laws 2005, First Special Session chapter 5, article 1, section 50, to allocate compensatory~~
11.2 ~~revenue according to student performance measures developed by the school board.~~

11.3 (b) Notwithstanding paragraph (a), the board of a district or cooperative may allocate
11.4 up to five percent of the amount of reallocate any or all of its compensatory revenue that
11.5 ~~the district receives to school sites according to a plan adopted by the school board, and a~~
11.6 ~~district or cooperative may allocate up to an additional five percent of its compensatory~~
11.7 ~~revenue for activities under subdivision 1, clause (10), according to a plan adopted by the~~
11.8 ~~school board.~~ The money reallocated under this paragraph must be spent for the purposes
11.9 listed in subdivision 1, but may be spent on students in any grade, including students
11.10 attending school readiness or other prekindergarten programs.

11.11 (c) For the purposes of this section and section 126C.05, subdivision 3, "building"
11.12 means education site as defined in section 123B.04, subdivision 1.

11.13 (d) Notwithstanding section 123A.26, subdivision 1, compensatory revenue
11.14 generated by students served at a cooperative unit shall be paid to the cooperative unit.

11.15 (e) A district or cooperative with school building openings, school building
11.16 closings, changes in attendance area boundaries, or other changes in programs or student
11.17 demographics between the prior year and the current year may reallocate compensatory
11.18 revenue among sites to reflect these changes. A district or cooperative must report to the
11.19 department any adjustments it makes according to this paragraph and the department must
11.20 use the adjusted compensatory revenue allocations in preparing the report required under
11.21 section 123B.76, subdivision 3, paragraph (c).

11.22 **EFFECTIVE DATE.** This section is effective July 1, 2015.

11.23 Sec. 19. Minnesota Statutes 2014, section 126C.15, subdivision 3, is amended to read:

11.24 Subd. 3. **Recommendation.** A school site decision-making team, as defined in
11.25 section 123B.04, subdivision 2, paragraph (a), or the instruction and curriculum advisory
11.26 committee under section 120B.11, if the school has no school site decision team, ~~shall~~ may
11.27 recommend to the school board how the compensatory education revenue will be used to
11.28 carry out the purpose of this section. A school district that has received permission under
11.29 Laws 2005, First Special Session chapter 5, article 1, section 50, to allocate compensatory
11.30 revenue according to school performance measures shall share its plan for the distribution
11.31 of compensatory revenue with the school site decision team.

11.32 **EFFECTIVE DATE.** This section is effective July 1, 2015.

11.33 Sec. 20. Minnesota Statutes 2014, section 126C.17, subdivision 1, is amended to read:

12.1 Subdivision 1. **Referendum allowance.** (a) A district's initial referendum allowance
12.2 equals the result of the following calculations:

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

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

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

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

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

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

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

12.20 (b) A district's referendum allowance equals the sum of the district's initial
12.21 referendum allowance, plus any new referendum allowance authorized between July 1,
12.22 2013, and December 31, 2013, under subdivision 9a, plus any additional referendum
12.23 allowance per adjusted pupil unit authorized after December 31, 2013, minus any
12.24 allowances expiring in fiscal year 2016 or later, provided that the allowance may not be
12.25 less than zero. For a district with more than one referendum allowance for fiscal year
12.26 2015 under Minnesota Statutes 2012, section 126C.17, the allowance calculated under
12.27 paragraph (a), clause (3), must be divided into components such that the same percentage
12.28 of the district's allowance expires at the same time as the old allowances would have
12.29 expired under Minnesota Statutes 2012, section 126C.17. For a district with more than one
12.30 allowance for fiscal year 2015 that expires in the same year, the reduction under paragraph
12.31 (a), clause (6), to offset local optional revenue shall be made first from any allowances that
12.32 do not have an inflation adjustment approved by the voters.

12.33 **EFFECTIVE DATE.** This section is effective the day following final enactment for
12.34 fiscal year 2015 and later.

12.35 Sec. 21. Minnesota Statutes 2014, section 126C.17, subdivision 2, is amended to read:

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

13.4 (1) \$1,845;

13.5 (2) the sum of the referendum revenue the district would have received for fiscal
13.6 year 2015 under Minnesota Statutes 2012, section 126C.17, subdivision 4, based on
13.7 elections held before July 1, 2013, and the adjustment the district would have received
13.8 under Minnesota Statutes 2012, section 127A.47, subdivision 7, paragraphs (a), (b), and
13.9 (c), based on elections held before July 1, 2013, divided by the district's adjusted pupil
13.10 units for fiscal year 2015;

13.11 (3) the product of the referendum allowance limit the district would have received
13.12 for fiscal year 2015 under Minnesota Statutes 2012, section 126C.17, subdivision 2, and
13.13 the resident marginal cost pupil units the district would have received for fiscal year 2015
13.14 under Minnesota Statutes 2012, section 126C.05, subdivision 6, plus the adjustment the
13.15 district would have received under Minnesota Statutes 2012, section 127A.47, subdivision
13.16 7, paragraphs (a), (b), and (c), based on elections held before July 1, 2013, divided by
13.17 the district's adjusted pupil units for fiscal year 2015; minus \$424 for a district receiving
13.18 ~~local optional revenue under section 126C.10, subdivision 2d, paragraph (a), minus~~
13.19 ~~\$212 for a district receiving local optional revenue under section 126C.10, subdivision~~
13.20 ~~2d, paragraph (b); or~~

13.21 (4) for a newly reorganized district created after July 1, 2013, the referendum
13.22 revenue authority for each reorganizing district in the year preceding reorganization
13.23 divided by its adjusted pupil units for the year preceding reorganization.

13.24 (b) For purposes of this subdivision, for fiscal year 2016 and later, "inflationary
13.25 increase" means one plus the percentage change in the Consumer Price Index for urban
13.26 consumers, as prepared by the United States Bureau of Labor Standards, for the current
13.27 fiscal year to fiscal year 2015. For fiscal year 2016 and later, for purposes of paragraph (a),
13.28 clause (3), the inflationary increase equals one-fourth of the percentage increase in the
13.29 formula allowance for that year compared with the formula allowance for fiscal year 2015.

13.30 **EFFECTIVE DATE.** This section is effective the day following final enactment for
13.31 fiscal year 2015 and later.

13.32 Sec. 22. **APPROPRIATIONS.**

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

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

14.6 \$ 6,546,760,000 2016

14.7 \$ 6,609,377,000 2017

14.8 The 2016 appropriation includes \$622,908,000 for 2015 and \$5,923,852,000 for
 14.9 2016.

14.10 The 2017 appropriation includes \$630,151,000 for 2016 and \$5,979,226,000 for
 14.11 2017.

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

14.15 \$ 39,000 2016

14.16 \$ 42,000 2017

14.17 Subd. 4. **Abatement revenue.** For abatement aid under Minnesota Statutes, section
 14.18 127A.49:

14.19 \$ 2,740,000 2016

14.20 \$ 2,932,000 2017

14.21 The 2016 appropriation includes \$278,000 for 2015 and \$2,462,000 for 2016.

14.22 The 2017 appropriation includes \$273,000 for 2016 and \$2,659,000 for 2017.

14.23 Subd. 5. **Consolidation transition.** For districts consolidating under Minnesota
 14.24 Statutes, section 123A.485:

14.25 \$ 292,000 2016

14.26 \$ 165,000 2017

14.27 The 2016 appropriation includes \$22,000 for 2015 and \$270,000 for 2016.

14.28 The 2017 appropriation includes \$30,000 for 2016 and \$135,000 for 2017.

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

14.31 \$ 16,756,000 2016

14.32 \$ 17,309,000 2017

14.33 The 2016 appropriation includes \$1,575,000 for 2015 and \$15,181,000 for 2016.

15.1 The 2017 appropriation includes \$1,686,000 for 2016 and \$15,623,000 for 2017.

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

15.4 \$ 17,322,000 2016

15.5 \$ 17,228,000 2017

15.6 The 2016 appropriation includes \$1,816,000 for 2015 and \$15,506,000 for 2016.

15.7 The 2017 appropriation includes \$1,722,000 for 2016 and \$15,506,000 for 2017.

15.8 Subd. 8. **One-room schoolhouse.** For a grant to Independent School District No.
 15.9 690, Warroad, to operate the Angle Inlet School:

15.10 \$ 65,000 2016

15.11 \$ 65,000 2017

15.12 Subd. 9. **Compensatory revenue pilot project.** For grants for participation in the
 15.13 compensatory revenue pilot program under Laws 2005, First Special Session chapter 5,
 15.14 article 1, section 50:

15.15 \$ 7,325,000 2016

15.16 \$ 7,325,000 2017

15.17 Of this amount, \$4,730,000 in each year is for a grant to Independent School District
 15.18 No. 11, Anoka-Hennepin; \$240,000 in each year is for a grant to Independent School
 15.19 District No. 286, Brooklyn Center; \$660,000 in each year is for a grant to Independent
 15.20 School District No. 279, Osseo; \$500,000 in each year is for a grant to Independent
 15.21 School District No. 281, Robbinsdale; \$520,000 in each year is for a grant to Independent
 15.22 School District No. 535, Rochester; \$205,000 in each year is for a grant to Independent
 15.23 School District No. 833, South Washington; and \$470,000 in each year is for a grant to
 15.24 Independent School District No. 241, Albert Lea.

15.25 If a grant to a specific school district is not awarded, the commissioner may increase
 15.26 the aid amounts to any of the remaining participating school districts.

15.27 Subd. 10. **Career and technical aid.** For career and technical aid under Minnesota
 15.28 Statutes, section 124D.4531, subdivision 1b:

15.29 \$ 5,420,000 2016

15.30 \$ 4,405,000 2017

15.31 The 2016 appropriation includes \$574,000 for 2015 and \$4,846,000 for 2016.

15.32 The 2017 appropriation includes \$538,000 for 2016 and \$3,867,000 for 2017.

15.33 Sec. 23. **REPEALER.**

16.1 Minnesota Statutes 2014, sections 126C.12, subdivision 6; 126C.13, subdivisions 3a,
16.2 3b, and 3c; and 126C.41, subdivision 1, and Minnesota Rules, part 3500.1000, are repealed.

16.3 ARTICLE 2

16.4 EDUCATION EXCELLENCE

16.5 Section 1. Minnesota Statutes 2014, section 5A.03, is amended to read:

16.6 **5A.03 ORGANIZATION APPLICATION FOR REGISTRATION.**

16.7 Subdivision 1. Placing high school students in Minnesota. (a) An application for
16.8 registration as an international student exchange visitor placement organization must be
16.9 submitted in the form prescribed by the secretary of state. The application must include:

16.10 (1) evidence that the organization meets the standards established by the secretary of
16.11 state by rule;

16.12 (2) the name, address, and telephone number of the organization, its chief executive
16.13 officer, and the person within the organization who has primary responsibility for
16.14 supervising placements within the state;

16.15 (3) the organization's unified business identification number, if any;

16.16 (4) the organization's Office of Exchange Coordination and Designation, United
16.17 States Department of State number, if any;

16.18 (5) evidence of Council on Standards for International Educational Travel listing, if
16.19 any;

16.20 (6) whether the organization is exempt from federal income tax; and

16.21 (7) a list of the organization's placements in Minnesota for the previous academic
16.22 year including the number of students placed, their home countries, the school districts in
16.23 which they were placed, and the length of their placements.

16.24 (b) The application must be signed by the chief executive officer of the organization
16.25 and the person within the organization who has primary responsibility for supervising
16.26 placements within Minnesota. If the secretary of state determines that the application is
16.27 complete, the secretary of state shall file the application and the applicant is registered.

16.28 (c) Organizations that have registered shall inform the secretary of state of any
16.29 changes in the information required under paragraph (a), clause (1), within 30 days of the
16.30 change. There is no fee to amend a registration.

16.31 (d) Registration under this chapter is valid for one year. The registration may be
16.32 renewed annually. The fee to renew a registration is \$50 per year.

16.33 (e) Organizations registering for the first time in Minnesota must pay an initial
16.34 registration fee of \$150.

17.1 (f) Fees collected by the secretary of state under this section must be deposited in the
17.2 state treasury and credited to the general fund.

17.3 Subd. 2. **Placing Minnesota students in travel abroad programs.** (a) A school
17.4 district or charter school with enrolled students who participate in a foreign exchange or
17.5 study or other travel abroad program under a written agreement between the district or
17.6 charter school and the program provider must use a form developed by the Department
17.7 of Education to annually report to the department by November 1 the following data
17.8 from the previous school year:

17.9 (1) the number of Minnesota student deaths that occurred while Minnesota students
17.10 were participating in the foreign exchange or study or other travel abroad program and
17.11 that resulted from Minnesota students participating in the program;

17.12 (2) the number of Minnesota students hospitalized due to accidents and the illnesses
17.13 that occurred while Minnesota students were participating in the foreign exchange or study
17.14 or other travel abroad program and that resulted from Minnesota students participating
17.15 in the program; and

17.16 (3) the name and type of the foreign exchange or study or other travel abroad
17.17 program and the city or region where the reported death, hospitalization due to accident,
17.18 or the illness occurred.

17.19 (b) School districts and charter schools must ask but must not require enrolled
17.20 eligible students and the parents or guardians of other enrolled students who complete
17.21 a foreign exchange or study or other travel abroad program to disclose the information
17.22 under paragraph (a).

17.23 (c) When reporting the data under paragraph (a), a school district or charter school
17.24 may supplement the data with a brief explanatory statement. The Department of Education
17.25 annually must aggregate and publish the reported data on the department Web site in
17.26 a format that facilitates public access to the aggregated data and include links to both
17.27 the United States Department of State's Consular Information Program that informs the
17.28 public of conditions abroad that may affect students' safety and security and the publicly
17.29 available reports on sexual assaults and other criminal acts affecting students participating
17.30 in a foreign exchange or study or other travel abroad program.

17.31 (d) School districts and charter schools with enrolled students who participate in
17.32 foreign exchange or study or other travel abroad programs under a written agreement
17.33 between the district or charter school and the program provider are encouraged to adopt
17.34 policies supporting the programs and to include program standards in their policies to
17.35 ensure students' health and safety.

18.1 (e) To be eligible under this subdivision to provide a foreign exchange or study or
18.2 other travel abroad program to Minnesota students enrolled in a school district or charter
18.3 school, a program provider annually must register with the secretary of state and provide
18.4 the following information on a form developed by the secretary of state: the name,
18.5 address, and telephone number of the program provider, its chief executive officer, and
18.6 the person within the provider's organization who is primarily responsible for supervising
18.7 programs within the state; the program provider's unified business identification number,
18.8 if any; evidence of Council on Standards for International Educational Travel listing,
18.9 if any; whether the program provider is exempt from federal income tax; a list of the
18.10 program provider's placements in foreign countries for the previous school year including
18.11 the number of Minnesota students placed, where Minnesota students were placed, and
18.12 the length of their placement; the terms and limits of the medical and accident insurance
18.13 available to cover participating students and the process for filing a claim; and the
18.14 signatures of the program provider's chief executive officer and the person primarily
18.15 responsible for supervising Minnesota students' placements in foreign countries. If the
18.16 secretary of state determines the registration is complete, the secretary of state shall file the
18.17 registration and the program provider is registered. Registration with the secretary of state
18.18 must not be considered or represented as an endorsement of the program provider by the
18.19 secretary of state. The secretary of state annually must publish on its Web site aggregated
18.20 data under paragraph (c) received from the Department of Education.

18.21 (f) Program providers, annually by August 1, must provide the data required under
18.22 paragraph (a), clauses (1) to (3), to the districts and charter schools with enrolled students
18.23 participating in the provider's program.

18.24 (g) The school district, the charter school, the Department of Education, and their
18.25 respective employees, when acting in their official capacity, are immune from civil and
18.26 criminal liability with respect to all activities related to implementing this subdivision.

18.27 **EFFECTIVE DATE.** This section is effective for the 2015-2016 school year and
18.28 later.

18.29 Sec. 2. Minnesota Statutes 2014, section 120B.022, subdivision 1a, is amended to read:

18.30 Subd. 1a. **Foreign language and culture; proficiency certificates.** (a) World
18.31 languages teachers and other school staff should develop and implement world languages
18.32 programs that acknowledge and reinforce the language proficiency and cultural awareness
18.33 that non-English language speakers already possess, and encourage students' proficiency
18.34 in multiple world languages. Programs under this section must encompass indigenous
18.35 American Indian languages and cultures, among other world languages and cultures. The

19.1 department shall consult with postsecondary institutions in developing related professional
 19.2 development opportunities for purposes of this section.

19.3 (b) Any Minnesota public, charter, or nonpublic school may award Minnesota
 19.4 World Language Proficiency Certificates ~~or Minnesota World Language Proficiency High~~
 19.5 ~~Achievement Certificates~~, consistent with this subdivision.

19.6 (c) The Minnesota World Language Proficiency Certificate recognizes students who
 19.7 demonstrate listening, speaking, reading, and writing language skills at the American
 19.8 Council on the Teaching of Foreign Languages' Intermediate-Low level on a valid and
 19.9 reliable assessment tool. ~~For languages listed as Category 3 by the United States Foreign~~
 19.10 ~~Service Institute or Category 4 by the United States Defense Language Institute, the~~
 19.11 ~~standard is Intermediate-Low for listening and speaking and Novice-High for reading~~
 19.12 ~~and writing.~~

19.13 (d) ~~The Minnesota World Language Proficiency High Achievement Certificate~~
 19.14 ~~recognizes students who demonstrate listening, speaking, reading, and writing language~~
 19.15 ~~skills at the American Council on the Teaching of Foreign Languages' Pre-Advanced level~~
 19.16 ~~for K-12 learners on a valid and reliable assessment tool. For languages listed as Category~~
 19.17 ~~3 by the United States Foreign Service Institute or Category 4 by the United States~~
 19.18 ~~Defense Language Institute, the standard is Pre-Advanced for listening and speaking and~~
 19.19 ~~Intermediate-Mid for reading and writing.~~

19.20 Sec. 3. Minnesota Statutes 2014, section 120B.022, subdivision 1b, is amended to read:

19.21 Subd. 1b. **State bilingual and multilingual seals.** (a) Consistent with efforts to
 19.22 strive for the world's best workforce under sections 120B.11 and 124D.10, subdivision 8,
 19.23 paragraph (u), and close the academic achievement and opportunity gap under sections
 19.24 124D.861 and 124D.862, voluntary state bilingual and multilingual seals are established
 19.25 to recognize high school ~~graduates~~ students who demonstrate ~~level 3~~ an advanced low
 19.26 level or an intermediate high level of functional ~~native~~ proficiency in listening, speaking,
 19.27 reading, and writing on either ~~the Foreign Services Institute language assessments aligned~~
 19.28 with American Council on the Teaching of Foreign Languages' (ACTFL) proficiency
 19.29 tests guidelines or on equivalent valid and reliable assessments in one or more languages
 19.30 in addition to English. American Sign Language is a language other than English for
 19.31 purposes of this subdivision and a world language for purposes of subdivision 1a.

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

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

20.1 (2) students whose primary language is other than English must demonstrate mastery
20.2 of Minnesota's English language proficiency standards.

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

20.13 (d) School districts and charter schools, ~~in consultation with regional centers of~~
20.14 ~~excellence under section 120B.115, must~~ may give students periodic opportunities to
20.15 demonstrate their level of proficiency in listening, speaking, reading, and writing in a
20.16 language in addition to English. Where valid and reliable assessments are unavailable, a
20.17 school district or charter school may rely on a ~~licensed foreign language immersion teacher~~
20.18 ~~or a nonlicensed community expert under section 122A.25~~ evaluators trained in assessing
20.19 under ACTFL proficiency guidelines to assess a student's level of foreign, heritage, or
20.20 indigenous language proficiency under this section. School districts and charter schools
20.21 must maintain appropriate records to identify high school graduates eligible to receive the
20.22 state bilingual or multilingual seal gold and platinum seals. The school district or charter
20.23 school must affix the appropriate seal to the transcript of each high school graduate who
20.24 meets the requirements of this subdivision and may affix the seal to the student's diploma. A
20.25 school district or charter school must not charge the high school graduate a fee for this seal.

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

20.29 (f) A school district or charter school may award community service credit to a
20.30 student who demonstrates ~~level 3~~ an intermediate high or advanced low ACTFL level of
20.31 functional native proficiency in listening, speaking, reading, and writing in a language
20.32 other than English and who participates in community service activities that are integrated
20.33 into the curriculum, involve the participation of teachers, and support biliteracy in the
20.34 school or local community.

21.1 ~~(g) The commissioner must develop a Web page for the electronic delivery of these~~
 21.2 ~~seals. The commissioner must list on the Web page those assessments that are equivalent~~
 21.3 ~~to the Foreign Services Institute language aligned to ACTFL proficiency tests guidelines.~~

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

21.18 **EFFECTIVE DATE.** This section is effective the day following final enactment and
 21.19 applies beginning with students graduating in the 2014-2015 school year who demonstrate
 21.20 the requisite language proficiency in grade 10, 11, or 12.

21.21 Sec. 4. Minnesota Statutes 2014, section 120B.12, subdivision 4a, is amended to read:

21.22 Subd. 4a. **Local literacy plan.** (a) Consistent with this section, a school district
 21.23 must adopt a local literacy plan to have every child reading at or above grade level no
 21.24 later than the end of grade 3, including English learners. The plan must be consistent with
 21.25 section 122A.06, subdivision 4, and include the following:

21.26 (1) a process to assess students' level of reading proficiency; and data to support the
 21.27 effectiveness of an assessment used to screen and identify a student's level of reading
 21.28 proficiency;

21.29 (2) a process to notify and involve parents; ~~intervene with;~~

21.30 (3) a description of how schools in the district will determine the proper reading
 21.31 intervention strategy for a student and the process for intensifying or modifying the
 21.32 reading strategy in order to obtain measurable reading progress;

21.33 (4) evidence-based intervention methods for students who are not reading at or
 21.34 above grade level; ~~and identify and meet and progress monitoring to provide information~~
 21.35 on the effectiveness of the intervention; and

22.1 (5) identification of staff development needs, including a program to meet those
22.2 needs.

22.3 (b) The district must post its literacy plan on the official school district Web site.

22.4 **EFFECTIVE DATE.** This section is effective for fiscal year 2016 and later.

22.5 Sec. 5. Minnesota Statutes 2014, section 120B.13, subdivision 4, is amended to read:

22.6 Subd. 4. **Rigorous course taking information; AP, IB, and PSEO.** The
22.7 commissioner shall submit the following information on rigorous course taking,
22.8 disaggregated by student subgroup, school district, and postsecondary institution, to the
22.9 education committees of the legislature each year by February 1:

22.10 (1) the number of pupils enrolled in postsecondary enrollment options under section
22.11 124D.09, including concurrent enrollment, career and technical education courses offered
22.12 as a concurrent enrollment course, advanced placement, and international baccalaureate
22.13 courses in each school district;

22.14 (2) the number of teachers in each district attending training programs offered by the
22.15 college board, International Baccalaureate North America, Inc., or Minnesota concurrent
22.16 enrollment programs;

22.17 (3) the number of teachers in each district participating in support programs;

22.18 (4) recent trends in the field of postsecondary enrollment options under section
22.19 124D.09, including concurrent enrollment, advanced placement, and international
22.20 baccalaureate programs;

22.21 (5) expenditures for each category in this section and under sections 124D.09 and
22.22 124D.091, including career and technical education courses offered as a concurrent
22.23 enrollment course; and

22.24 (6) other recommendations for the state program or the postsecondary enrollment
22.25 options under section 124D.09, including concurrent enrollment.

22.26 Sec. 6. Minnesota Statutes 2014, section 120B.30, subdivision 3, is amended to read:

22.27 Subd. 3. **Reporting.** The commissioner shall report test results publicly and to
22.28 stakeholders, including the performance achievement levels developed from students'
22.29 unweighted test scores in each tested subject and a listing of demographic factors that
22.30 strongly correlate with student performance, including student homelessness, among other
22.31 factors. The test results must not include personally identifiable information as defined in
22.32 Code of Federal Regulations, title 34, section 99.3. The commissioner shall also report
22.33 data that compares performance results among school sites, school districts, Minnesota
22.34 and other states, and Minnesota and other nations. The commissioner shall disseminate to

23.1 schools and school districts a more comprehensive report containing testing information
23.2 that meets local needs for evaluating instruction and curriculum. The commissioner
23.3 shall disseminate to charter school authorizers a more comprehensive report containing
23.4 testing information that contains anonymized data where cell count data are sufficient to
23.5 protect student identity and that meets the authorizer's needs in fulfilling its obligations
23.6 under section 124D.10.

23.7 **EFFECTIVE DATE.** This section is effective the day following final enactment
23.8 and applies to school year reports for the 2015-2016 school year and later.

23.9 Sec. 7. Minnesota Statutes 2014, section 120B.31, subdivision 4, is amended to read:

23.10 Subd. 4. **Student performance data.** In developing policies and assessment
23.11 processes to hold schools and districts accountable for high levels of academic standards
23.12 under section 120B.021, the commissioner shall aggregate student data over time to
23.13 report student performance and growth levels measured at the school, school district, and
23.14 statewide level. When collecting and reporting the performance data, the commissioner
23.15 shall organize and report the data so that state and local policy makers can understand the
23.16 educational implications of changes in districts' demographic profiles over time, including
23.17 student homelessness, among other demographic factors. Any report the commissioner
23.18 disseminates containing summary data on student performance must integrate student
23.19 performance and the demographic factors that strongly correlate with that performance.

23.20 **EFFECTIVE DATE.** This section is effective the day following final enactment
23.21 and applies to school year reports for the 2015-2016 school year and later.

23.22 Sec. 8. Minnesota Statutes 2014, section 120B.36, subdivision 1, is amended to read:

23.23 Subdivision 1. **School performance reports.** (a) The commissioner shall report
23.24 student academic performance under section 120B.35, subdivision 2; the percentages of
23.25 students showing low, medium, and high growth under section 120B.35, subdivision
23.26 3, paragraph (b); school safety and student engagement and connection under section
23.27 120B.35, subdivision 3, paragraph (d); rigorous coursework under section 120B.35,
23.28 subdivision 3, paragraph (c); the percentage of students under section 120B.35,
23.29 subdivision 3, paragraph (b), clause (2), whose progress and performance levels are
23.30 meeting career and college readiness benchmarks under sections 120B.30, subdivision 1,
23.31 and 120B.35, subdivision 3, paragraph (e); longitudinal data on the progress of eligible
23.32 districts in reducing disparities in students' academic achievement and realizing racial
23.33 and economic integration under section 124D.861; the acquisition of English, and

24.1 where practicable, native language academic literacy, including oral academic language,
 24.2 and the academic progress of English learners under section 124D.59, subdivisions
 24.3 2 and 2a; two separate student-to-teacher ratios that clearly indicate the definition of
 24.4 teacher consistent with sections 122A.06 and 122A.15 for purposes of determining these
 24.5 ratios; staff characteristics excluding salaries; student enrollment demographics; student
 24.6 homelessness and district mobility; and extracurricular activities. The report also must
 24.7 indicate a school's adequate yearly progress status under applicable federal law, and must
 24.8 not set any designations applicable to high- and low-performing schools due solely to
 24.9 adequate yearly progress status.

24.10 (b) The commissioner shall develop, annually update, and post on the department
 24.11 Web site school performance reports.

24.12 (c) The commissioner must make available performance reports by the beginning
 24.13 of each school year.

24.14 (d) A school or district may appeal its adequate yearly progress status in writing to
 24.15 the commissioner within 30 days of receiving the notice of its status. The commissioner's
 24.16 decision to uphold or deny an appeal is final.

24.17 (e) School performance data are nonpublic data under section 13.02, subdivision 9,
 24.18 until the commissioner publicly releases the data. The commissioner shall annually post
 24.19 school performance reports to the department's public Web site no later than September 1,
 24.20 except that in years when the reports reflect new performance standards, the commissioner
 24.21 shall post the school performance reports no later than October 1.

24.22 **EFFECTIVE DATE.** This section is effective the day following final enactment
 24.23 and applies to school year reports for the 2015-2016 school year and later.

24.24 Sec. 9. Minnesota Statutes 2014, section 122A.09, subdivision 4, is amended to read:

24.25 Subd. 4. **License and rules.** (a) The board must adopt rules to license public school
 24.26 teachers and interns subject to chapter 14.

24.27 (b) The board must adopt rules requiring a person to pass a college-level skills
 24.28 examination in reading, writing, and mathematics or attain either ~~a composite score~~
 24.29 ~~composed of the average of the~~ essentially equivalent passing scores in English and
 24.30 writing, reading, and mathematics on the ACT Plus Writing recommended by the board,
 24.31 ~~or an equivalent composite score composed of the average of the~~ essentially equivalent
 24.32 passing scores in critical reading, mathematics, and writing on the SAT recommended
 24.33 by the board, as a requirement for initial teacher licensure, except that the board may
 24.34 issue up to two temporary, one-year teaching licenses to an otherwise qualified candidate
 24.35 who has not yet passed the college-level skills exam or attained ~~the requisite composite~~

25.1 ~~score~~ essentially equivalent passing scores on the ACT Plus Writing or SAT. Such rules
25.2 must require college and universities offering a board-approved teacher preparation
25.3 program to provide remedial assistance to persons who did not achieve a qualifying
25.4 score on the college-level skills examination or attain ~~the requisite composite score~~
25.5 essentially equivalent passing scores on the ACT Plus Writing or SAT, including those
25.6 for whom English is a second language. The requirement to pass a reading, writing,
25.7 and mathematics college-level skills examination or attain ~~the requisite composite score~~
25.8 essentially equivalent passing scores on the ACT Plus Writing or SAT does not apply to
25.9 nonnative English speakers, as verified by qualified Minnesota school district personnel
25.10 or Minnesota higher education faculty, who, after meeting the content and pedagogy
25.11 requirements under this subdivision, apply for a teaching license to provide direct
25.12 instruction in their native language or world language instruction under section 120B.022,
25.13 subdivision 1. A teacher candidate's official ACT Plus Writing or SAT composite score
25.14 report to the board must not be more than ten years old at the time of licensure.

25.15 (c) The board must adopt rules to approve teacher preparation programs. The board,
25.16 upon the request of a postsecondary student preparing for teacher licensure or a licensed
25.17 graduate of a teacher preparation program, shall assist in resolving a dispute between the
25.18 person and a postsecondary institution providing a teacher preparation program when the
25.19 dispute involves an institution's recommendation for licensure affecting the person or the
25.20 person's credentials. At the board's discretion, assistance may include the application
25.21 of chapter 14.

25.22 (d) The board must provide the leadership and adopt rules for the redesign of teacher
25.23 education programs to implement a research based, results-oriented curriculum that
25.24 focuses on the skills teachers need in order to be effective. Among other components,
25.25 teacher preparation programs are encouraged to provide a school-year-long student
25.26 teaching program that combines clinical opportunities with academic coursework and
25.27 in-depth student teaching experiences to offer students ongoing mentorship, coaching
25.28 and assessment, help to prepare a professional development plan, and structured
25.29 learning experiences. The board shall implement new systems of teacher preparation
25.30 program evaluation to assure program effectiveness based on proficiency of graduates in
25.31 demonstrating attainment of program outcomes. Teacher preparation programs including
25.32 alternative teacher preparation programs under section 122A.245, among other programs,
25.33 must include a content-specific, board-approved, performance-based assessment that
25.34 measures teacher candidates in three areas: planning for instruction and assessment;
25.35 engaging students and supporting learning; and assessing student learning. The board's
25.36 redesign rules must include creating flexible, specialized teaching licenses, credentials,

26.1 and other endorsement forms to increase students' participation in language immersion
26.2 programs, world language instruction, career development opportunities, work-based
26.3 learning, early college courses and careers, career and technical programs, Montessori
26.4 schools, and project and place-based learning, among other career and college ready
26.5 learning offerings.

26.6 (e) The board must adopt rules requiring candidates for initial licenses to pass an
26.7 examination of general pedagogical knowledge and examinations of licensure-specific
26.8 teaching skills. The rules shall be effective by September 1, 2001. The rules under this
26.9 paragraph also must require candidates for initial licenses to teach prekindergarten or
26.10 elementary students to pass, as part of the examination of licensure-specific teaching
26.11 skills, test items assessing the candidates' knowledge, skill, and ability in comprehensive,
26.12 scientifically based reading instruction under section 122A.06, subdivision 4, and their
26.13 knowledge and understanding of the foundations of reading development, the development
26.14 of reading comprehension, and reading assessment and instruction, and their ability to
26.15 integrate that knowledge and understanding.

26.16 (f) The board must adopt rules requiring teacher educators to work directly with
26.17 elementary or secondary school teachers in elementary or secondary schools to obtain
26.18 periodic exposure to the elementary or secondary teaching environment.

26.19 (g) The board must grant licenses to interns and to candidates for initial licenses
26.20 based on appropriate professional competencies that are aligned with the board's licensing
26.21 system and students' diverse learning needs. All teacher candidates must have preparation
26.22 in English language development and content instruction for English learners in order to be
26.23 able to effectively instruct the English learners in their classrooms. The board must include
26.24 these licenses in a statewide differentiated licensing system that creates new leadership
26.25 roles for successful experienced teachers premised on a collaborative professional culture
26.26 dedicated to meeting students' diverse learning needs in the 21st century, recognizes the
26.27 importance of cultural and linguistic competencies, including the ability to teach and
26.28 communicate in culturally competent and aware ways, and formalizes mentoring and
26.29 induction for newly licensed teachers provided through a teacher support framework.

26.30 (h) The board must design and implement an assessment system which requires a
26.31 candidate for an initial license and first continuing license to demonstrate the abilities
26.32 necessary to perform selected, representative teaching tasks at appropriate levels.

26.33 (i) The board must receive recommendations from local committees as established
26.34 by the board for the renewal of teaching licenses. The board must require licensed teachers
26.35 who are renewing a continuing license to include in the renewal requirements further

27.1 preparation in English language development and specially designed content instruction
27.2 in English for English learners.

27.3 (j) The board must grant life licenses to those who qualify according to requirements
27.4 established by the board, and suspend or revoke licenses pursuant to sections 122A.20 and
27.5 214.10. The board must not establish any expiration date for application for life licenses.

27.6 (k) The board must adopt rules that require all licensed teachers who are renewing
27.7 their continuing license to include in their renewal requirements further preparation in
27.8 the areas of using positive behavior interventions and in accommodating, modifying, and
27.9 adapting curricula, materials, and strategies to appropriately meet the needs of individual
27.10 students and ensure adequate progress toward the state's graduation rule.

27.11 (l) In adopting rules to license public school teachers who provide health-related
27.12 services for disabled children, the board shall adopt rules consistent with license or
27.13 registration requirements of the commissioner of health and the health-related boards who
27.14 license personnel who perform similar services outside of the school.

27.15 (m) The board must adopt rules that require all licensed teachers who are renewing
27.16 their continuing license to include in their renewal requirements further reading
27.17 preparation, consistent with section 122A.06, subdivision 4. The rules do not take effect
27.18 until they are approved by law. Teachers who do not provide direct instruction including, at
27.19 least, counselors, school psychologists, school nurses, school social workers, audiovisual
27.20 directors and coordinators, and recreation personnel are exempt from this section.

27.21 (n) The board must adopt rules that require all licensed teachers who are renewing
27.22 their continuing license to include in their renewal requirements further preparation,
27.23 first, in understanding the key warning signs of early-onset mental illness in children
27.24 and adolescents and then, during subsequent licensure renewal periods, preparation may
27.25 include providing a more in-depth understanding of students' mental illness trauma,
27.26 accommodations for students' mental illness, parents' role in addressing students' mental
27.27 illness, Fetal Alcohol Spectrum Disorders, autism, the requirements of section 125A.0942
27.28 governing restrictive procedures, and de-escalation methods, among other similar topics.

27.29 (o) The board must adopt rules by January 1, 2016, to license applicants under
27.30 sections 122A.23 and 122A.245. The rules must permit applicants to demonstrate their
27.31 qualifications through the board's recognition of a teaching license from another state
27.32 in a similar content field, completion of a state-approved teacher preparation program,
27.33 teaching experience as the teacher of record in a similar licensure field, depth of content
27.34 knowledge, depth of content methods or general pedagogy, subject-specific professional
27.35 development and contribution to the field, or classroom performance as determined by
27.36 documented student growth on normed assessments or documented effectiveness on

28.1 evaluations. The rules must adopt criteria for determining a "similar content field" and
28.2 "similar licensure area."

28.3 **EFFECTIVE DATE.** This section is effective the day following final enactment
28.4 and applies to all candidates seeking initial teacher licensure, including those holding a
28.5 temporary, one-year teaching license.

28.6 Sec. 10. Minnesota Statutes 2014, section 122A.09, is amended by adding a
28.7 subdivision to read:

28.8 Subd. 4a. **Teacher and administrator preparation and performance data;**
28.9 **report.** (a) The Board of Teaching and the Board of School Administrators, in cooperation
28.10 with the Minnesota Association of Colleges of Teacher Education and Minnesota colleges
28.11 and universities offering board-approved teacher or administrator preparation programs,
28.12 annually must collect and report summary data on teacher and administrator preparation
28.13 and performance outcomes, consistent with this subdivision. The Board of Teaching
28.14 and the Board of School Administrators annually by June 1 must update and post the
28.15 reported summary preparation and performance data on teachers and administrators from
28.16 the preceding school years on a Web site hosted jointly by the boards.

28.17 (b) Publicly reported summary data on teacher preparation programs must include:
28.18 student entrance requirements for each Board of Teaching-approved program, including
28.19 grade point average for enrolling students in the preceding year; the average college-level
28.20 skills examination or ACT or SAT scores of students entering the program in the preceding
28.21 year; summary data on faculty qualifications, including at least the content areas of faculty
28.22 undergraduate and graduate degrees and their years of experience either as kindergarten
28.23 through grade 12 classroom teachers or school administrators; the average time resident
28.24 and nonresident program graduates in the preceding year needed to complete the program;
28.25 the current number and percent of students by program who graduated, received a standard
28.26 Minnesota teaching license, and were hired to teach full time in their licensure field in a
28.27 Minnesota district or school in the preceding year; the number of content area credits and
28.28 other credits by undergraduate program that students in the preceding school year needed
28.29 to complete to graduate; students' pass rates on skills and subject matter exams required for
28.30 graduation in each program and licensure area in the preceding school year; survey results
28.31 measuring student and graduate satisfaction with the program in the preceding school
28.32 year; a standard measure of the satisfaction of school principals or supervising teachers
28.33 with the student teachers assigned to a school or supervising teacher; and information
28.34 under paragraphs (d) and (e). Program reporting must be consistent with subdivision 11.

29.1 (c) Publicly reported summary data on administrator preparation programs
29.2 approved by the Board of School Administrators must include: summary data on faculty
29.3 qualifications, including at least the content areas of faculty undergraduate and graduate
29.4 degrees and their years of experience either as kindergarten through grade 12 classroom
29.5 teachers or school administrators; the average time program graduates in the preceding
29.6 year needed to complete the program; the current number and percent of students who
29.7 graduated, received a standard Minnesota administrator license, and were employed as an
29.8 administrator in a Minnesota school district or school in the preceding year; the number of
29.9 credits by graduate program that students in the preceding school year needed to complete
29.10 to graduate; survey results measuring student, graduate, and employer satisfaction with
29.11 the program in the preceding school year; and information under paragraphs (f) and (g).
29.12 Program reporting must be consistent with section 122A.14, subdivision 10.

29.13 (d) School districts annually by October 1 must report to the Board of Teaching
29.14 the following information for all teachers who finished the probationary period and
29.15 accepted a continuing contract position with the district from September 1 of the previous
29.16 year through August 31 of the current year: the effectiveness category or rating of the
29.17 teacher on the summative evaluation under section 122A.40, subdivision 8, or 122A.41,
29.18 subdivision 5; the licensure area in which the teacher primarily taught during the
29.19 three-year evaluation cycle; and the teacher preparation program preparing the teacher in
29.20 the teacher's primary areas of instruction and licensure.

29.21 (e) School districts annually by October 1 must report to the Board of Teaching the
29.22 following information for all probationary teachers in the district who were released or
29.23 whose contracts were not renewed from September 1 of the previous year through August
29.24 31 of the current year: the licensure areas in which the probationary teacher taught; and
29.25 the teacher preparation program preparing the teacher in the teacher's primary areas of
29.26 instruction and licensure.

29.27 (f) School districts annually by October 1 must report to the Board of School
29.28 Administrators the following information for all school principals and assistant principals
29.29 who finished the probationary period and accepted a continuing contract position with the
29.30 district from September 1 of the previous year through August 31 of the current year: the
29.31 effectiveness category or rating of the principal or assistant principal on the summative
29.32 evaluation under section 123B.147, subdivision 3; and the principal preparation program
29.33 providing instruction to the principal or assistant principal.

29.34 (g) School districts annually by October 1 must report to the Board of School
29.35 Administrators all probationary school principals and assistant principals in the district

30.1 who were released or whose contracts were not renewed from September 1 of the previous
30.2 year through August 31 of the current year.

30.3 **EFFECTIVE DATE.** This section is effective July 1, 2016.

30.4 Sec. 11. Minnesota Statutes 2014, section 122A.09, is amended by adding a
30.5 subdivision to read:

30.6 **Subd. 11. Teacher preparation program reporting.** By December 31, 2018, and
30.7 annually thereafter, the Board of Teaching shall report and publish on its Web site the
30.8 cumulative summary results of at least three consecutive years of data reported to the board
30.9 under subdivision 4a, paragraph (b). Where the data are sufficient to yield statistically
30.10 reliable information and the results would not reveal personally identifiable information
30.11 about an individual teacher, the board shall report the data by teacher preparation program.

30.12 Sec. 12. Minnesota Statutes 2014, section 122A.14, subdivision 3, is amended to read:

30.13 **Subd. 3. Rules for continuing education requirements.** The board shall
30.14 adopt rules establishing continuing education requirements that promote continuous
30.15 improvement and acquisition of new and relevant skills by school administrators.
30.16 Continuing education programs, among other things, must provide school administrators
30.17 with information and training about building coherent and effective English learner
30.18 strategies that include relevant professional development, accountability for student
30.19 progress, students' access to the general curriculum, and sufficient staff capacity to effect
30.20 these strategies. ~~A retired school principal who serves as a substitute principal or assistant~~
30.21 ~~principal for the same person on a day-to-day basis for no more than 15 consecutive~~
30.22 ~~school days is not subject to continuing education requirements as a condition of serving~~
30.23 ~~as a substitute principal or assistant principal.~~

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

30.25 Sec. 13. Minnesota Statutes 2014, section 122A.14, is amended by adding a
30.26 subdivision to read:

30.27 **Subd. 10. Principal preparation program reporting.** By December 31, 2018, and
30.28 annually thereafter, the Board of School Administrators shall report and publish on its
30.29 Web site the cumulative summary results of three years of data reported to the board under
30.30 section 122A.09, subdivision 4a, paragraph (c), for each principal preparation program.

30.31 Sec. 14. Minnesota Statutes 2014, section 122A.18, subdivision 2, is amended to read:

31.1 Subd. 2. **Teacher and support personnel qualifications.** (a) The Board of
31.2 Teaching must issue licenses under its jurisdiction to persons the board finds to be
31.3 qualified and competent for their respective positions, including those who meet the
31.4 standards adopted under section 122A.09, subdivision 4, paragraph (o).

31.5 (b) The board must require a person to pass an examination of college-level skills
31.6 in reading, writing, and mathematics or attain either ~~a composite score composed of~~
31.7 ~~the average of the~~ passing scores in English and writing, reading, and mathematics on
31.8 the ACT Plus Writing recommended by the board, or ~~an equivalent composite score~~
31.9 ~~composed of the average of the~~ passing scores in critical reading, mathematics, and
31.10 writing on the SAT recommended by the board, before being granted an initial teaching
31.11 license to provide direct instruction to pupils in prekindergarten, elementary, secondary,
31.12 or special education programs, except that the board may issue up to two temporary,
31.13 one-year teaching licenses to an otherwise qualified candidate who has not yet passed the
31.14 college-level skills exam or attained ~~the requisite composite score~~ essentially equivalent
31.15 passing scores on the ACT Plus Writing or SAT. At the request of a school district or
31.16 charter school employer, the Board of Teaching must grant an additional temporary
31.17 one-year teaching license to an otherwise qualified teacher, employed by the district or
31.18 charter school, who held a temporary one-year teaching license in the previous school
31.19 year. The board must require colleges and universities offering a board approved teacher
31.20 preparation program to make available upon request remedial assistance that includes a
31.21 formal diagnostic component to persons enrolled in their institution who did not achieve a
31.22 qualifying score on the college-level skills examination or attain ~~the requisite composite~~
31.23 ACT Plus Writing or SAT ~~score~~ essentially equivalent passing scores, including those for
31.24 whom English is a second language. The colleges and universities must make available
31.25 assistance in the specific academic areas of candidates' deficiency. School districts may
31.26 make available upon request similar, appropriate, and timely remedial assistance that
31.27 includes a formal diagnostic component to those persons employed by the district who
31.28 completed their teacher education program, who did not achieve a qualifying score on the
31.29 college-level skills examination, or attain ~~the requisite composite~~ ACT Plus Writing or
31.30 SAT ~~score~~ essentially equivalent passing scores, and who received a temporary license
31.31 to teach in Minnesota. The Board of Teaching shall report annually to the education
31.32 committees of the legislature on the total number of teacher candidates during the most
31.33 recent school year taking the college-level skills examination, the number who achieve a
31.34 qualifying score on the examination, the number who do not achieve a qualifying score
31.35 on the examination, the distribution of all candidates' scores, ~~the number of candidates~~
31.36 ~~who have taken the examination at least once before, and the number of candidates who~~

32.1 ~~have taken the examination at least once before and achieve a qualifying score,~~ and the
32.2 candidates who have not attained ~~the requisite composite ACT Plus Writing or SAT score~~
32.3 essentially equivalent passing scores or have not passed a content or pedagogy exam,
32.4 disaggregated by categories of race, ethnicity, and eligibility for financial aid.

32.5 (c) The Board of Teaching must grant continuing licenses only to those persons
32.6 who ~~have met~~ meet board criteria for granting a continuing license, which includes
32.7 passing the college-level skills examination in reading, writing, and mathematics or
32.8 attaining ~~the requisite composite ACT Plus Writing or SAT score~~ essentially equivalent
32.9 passing scores consistent with paragraph (b), and the exceptions in section 122A.09,
32.10 subdivision 4, paragraph (b), that are consistent with this paragraph. The requirement to
32.11 pass a reading, writing, and mathematics college-level skills examination, or attain ~~the~~
32.12 ~~requisite composite score~~ essentially equivalent passing scores on the ACT Plus Writing
32.13 or SAT does not apply to nonnative English speakers, as verified by qualified Minnesota
32.14 school district personnel or Minnesota higher education faculty, who, after meeting the
32.15 content and pedagogy requirements under this subdivision, apply for a teaching license to
32.16 provide direct instruction in their native language or world language instruction under
32.17 section 120B.022, subdivision 1. A teacher candidate's official ACT Plus Writing or SAT
32.18 ~~composite score~~ passing scores report to the board must not be more than ten years old
32.19 at the time of licensure.

32.20 (d) All colleges and universities approved by the board of teaching to prepare persons
32.21 for teacher licensure must include in their teacher preparation programs a common core
32.22 of teaching knowledge and skills to be acquired by all persons recommended for teacher
32.23 licensure. Among other requirements, teacher candidates must demonstrate the knowledge
32.24 and skills needed to provide appropriate instruction to English learners to support and
32.25 accelerate their academic literacy, including oral academic language, and achievement in
32.26 content areas in a regular classroom setting. This common core shall meet the standards
32.27 developed by the interstate new teacher assessment and support consortium in its 1992
32.28 "model standards for beginning teacher licensing and development." Amendments to
32.29 standards adopted under this paragraph are covered by chapter 14. The board of teaching
32.30 shall report annually to the education committees of the legislature on the performance
32.31 of teacher candidates on common core assessments of knowledge and skills under this
32.32 paragraph during the most recent school year.

32.33 **EFFECTIVE DATE.** This section is effective the day following final enactment
32.34 and applies to all candidates seeking initial teacher licensure, including those holding a
32.35 temporary, one-year teaching license.

33.1 Sec. 15. Minnesota Statutes 2014, section 122A.20, subdivision 1, is amended to read:

33.2 Subdivision 1. **Grounds for revocation, suspension, or denial.** (a) The Board of
33.3 Teaching or Board of School Administrators, whichever has jurisdiction over a teacher's
33.4 licensure, may, on the written complaint of the school board employing a teacher, a teacher
33.5 organization, or any other interested person, refuse to issue, refuse to renew, suspend, or
33.6 revoke a teacher's license to teach for any of the following causes:

- 33.7 (1) immoral character or conduct;
- 33.8 (2) failure, without justifiable cause, to teach for the term of the teacher's contract;
- 33.9 (3) gross inefficiency or willful neglect of duty;
- 33.10 (4) failure to meet licensure requirements; or
- 33.11 (5) fraud or misrepresentation in obtaining a license.

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

33.13 (b) The Board of Teaching or Board of School Administrators, whichever
33.14 has jurisdiction over a teacher's licensure, shall refuse to issue, refuse to renew, or
33.15 automatically revoke a teacher's license to teach without the right to a hearing upon
33.16 receiving a certified copy of a conviction showing that the teacher has been convicted
33.17 of child abuse, as defined in section 609.185, sex trafficking in the first degree under
33.18 section 609.322, subdivision 1, sex trafficking in the second degree under section 609.322,
33.19 subdivision 1a, engaging in hiring, or agreeing to hire a minor to engage in prostitution
33.20 under section 609.324, subdivision 1, sexual abuse under section 609.342, 609.343,
33.21 609.344, 609.345, 609.3451, subdivision 3, or 617.23, subdivision 3, solicitation of
33.22 children to engage in sexual conduct or communication of sexually explicit materials
33.23 to children under section 609.352, interference with privacy under section 609.746 or
33.24 stalking under section 609.749 and the victim was a minor, using minors in a sexual
33.25 performance under section 617.246, or possessing pornographic works involving a minor
33.26 under section 617.247, or any other offense not listed in this paragraph that requires the
33.27 person to register as a predatory offender under section 243.166, or a crime under a similar
33.28 law of another state or the United States. The board shall send notice of this licensing
33.29 action to the district in which the teacher is currently employed.

33.30 (c) A person whose license to teach has been revoked, not issued, or not renewed
33.31 under paragraph (b), may petition the board to reconsider the licensing action if the
33.32 person's conviction for child abuse or sexual abuse is reversed by a final decision of the
33.33 Court of Appeals or the Supreme Court or if the person has received a pardon for the
33.34 offense. The petitioner shall attach a certified copy of the appellate court's final decision or
33.35 the pardon to the petition. Upon receiving the petition and its attachment, the board shall
33.36 schedule and hold a disciplinary hearing on the matter under section 214.10, subdivision 2,

34.1 unless the petitioner waives the right to a hearing. If the board finds that, notwithstanding
34.2 the reversal of the petitioner's criminal conviction or the issuance of a pardon, the
34.3 petitioner is disqualified from teaching under paragraph (a), clause (1), the board shall
34.4 affirm its previous licensing action. If the board finds that the petitioner is not disqualified
34.5 from teaching under paragraph (a), clause (1), it shall reverse its previous licensing action.

34.6 (d) For purposes of this subdivision, the Board of Teaching is delegated the authority
34.7 to suspend or revoke coaching licenses.

34.8 Sec. 16. Minnesota Statutes 2014, section 122A.21, subdivision 2, is amended to read:

34.9 Subd. 2. **Licensure via portfolio.** (a) An eligible candidate may use licensure
34.10 via portfolio to obtain an initial licensure or to add a licensure field, consistent with the
34.11 applicable Board of Teaching licensure rules.

34.12 (b) A candidate for initial licensure must submit to the Educator Licensing Division
34.13 at the department one portfolio demonstrating pedagogical competence and one portfolio
34.14 demonstrating content competence.

34.15 (c) A candidate seeking to add a licensure field must submit to the Educator
34.16 Licensing Division at the department one portfolio demonstrating content competence.

34.17 (d) The Board of Teaching must notify a candidate who submits a portfolio under
34.18 paragraph (b) or (c) within 90 calendar days after the portfolio is received whether or not
34.19 the portfolio was approved. If the portfolio was not approved, the board must immediately
34.20 inform the candidate how to revise the portfolio to successfully demonstrate the requisite
34.21 competence. The candidate may resubmit a revised portfolio at any time and the Educator
34.22 Licensing Division at the department must approve or disapprove the portfolio within
34.23 60 calendar days of receiving it.

34.24 (e) A candidate must pay to the executive secretary of the Board of Teaching a
34.25 \$300 fee for the first portfolio submitted for review and a \$200 fee for any portfolio
34.26 submitted subsequently. The fees must be paid to the executive secretary of the Board of
34.27 Teaching. The revenue generated from the fee must be deposited in an education licensure
34.28 portfolio account in the special revenue fund. The fees set by the Board of Teaching are
34.29 nonrefundable for applicants not qualifying for a license. The Board of Teaching may
34.30 waive or reduce fees for candidates based on financial need.

34.31 **EFFECTIVE DATE.** This section is effective the day following final enactment and
34.32 applies to all portfolios submitted to the Educator Licensing Division at the department
34.33 after that date.

35.1 Sec. 17. Minnesota Statutes 2014, section 122A.23, is amended to read:

35.2 **122A.23 APPLICANTS TRAINED IN OTHER STATES.**

35.3 Subdivision 1. **Preparation equivalency.** When a license to teach is authorized to
 35.4 be issued to any holder of a diploma or a degree of a Minnesota state university, or of the
 35.5 University of Minnesota, or of a liberal arts university, or a technical training institution,
 35.6 such license may also, in the discretion of the Board of Teaching or the commissioner of
 35.7 education, whichever has jurisdiction, be issued to any holder of a diploma or a degree
 35.8 of a teacher training institution of equivalent rank and standing of any other state. The
 35.9 diploma or degree must be granted by virtue of completing ~~a course~~ coursework in teacher
 35.10 preparation ~~essentially equivalent in content to that required by such Minnesota state~~
 35.11 ~~university or the University of Minnesota or a liberal arts university in Minnesota or a~~
 35.12 ~~technical training institution~~ as preliminary to the granting of a diploma or a degree of the
 35.13 same rank and class. For purposes of granting a Minnesota teaching license to a person
 35.14 who receives a diploma or degree from a state-accredited, out-of-state teacher training
 35.15 program leading to licensure, the Board of Teaching must establish criteria and streamlined
 35.16 procedures by January 1, 2016, to recognize the experience and professional credentials of
 35.17 the person holding the out-of-state diploma or degree and allow that person to demonstrate
 35.18 to the board the person's qualifications for receiving a Minnesota teaching license based
 35.19 on performance measures the board adopts by January 1, 2016, under this section.

35.20 Subd. 2. **Applicants licensed in other states.** (a) Subject to the requirements
 35.21 of sections 122A.18, subdivision 8, and 123B.03, the Board of Teaching must issue a
 35.22 teaching license or a temporary teaching license under paragraphs ~~(b)~~ (c) to ~~(e)~~ (f) to an
 35.23 applicant who holds at least a baccalaureate degree from a regionally accredited college
 35.24 or university and holds or held ~~a similar~~ an out-of-state teaching license that requires the
 35.25 applicant to successfully complete a teacher preparation program approved by the issuing
 35.26 state, which includes either (1) field-specific teaching methods and₂ student teaching₂ or
 35.27 essentially equivalent experience, or (2) at least two years of teaching experience as the
 35.28 teacher of record in a similar licensure field.

35.29 (b) The Board of Teaching may issue a standard license on the basis of teaching
 35.30 experience and examination requirements only.

35.31 (c) The Board of Teaching must issue a teaching license to an applicant who:

35.32 (1) successfully completed all exams and human relations preparation components
 35.33 required by the Board of Teaching; and

35.34 (2) holds or held an out-of-state teaching license to teach ~~the same~~ a similar content
 35.35 field and grade levels if the scope of the out-of-state license is no more than two grade
 35.36 levels less than a similar Minnesota license, and either (i) has completed field-specific

36.1 teaching methods, student teaching, or equivalent experience, or (ii) has at least two years
 36.2 of teaching experience as the teacher of record in a similar licensure field.

36.3 ~~(e)~~ (d) The Board of Teaching, consistent with board rules and paragraph ~~(h)~~ (i),
 36.4 must issue up to three one-year temporary teaching licenses to an applicant who holds or
 36.5 held an out-of-state teaching license to teach ~~the same~~ a similar content field and grade
 36.6 levels, where the scope of the out-of-state license is no more than two grade levels less
 36.7 than a similar Minnesota license, but has not successfully completed all exams and human
 36.8 relations preparation components required by the Board of Teaching.

36.9 ~~(d)~~ (e) The Board of Teaching, consistent with board rules, must issue up to three
 36.10 one-year temporary teaching licenses to an applicant who:

36.11 (1) successfully completed all exams and human relations preparation components
 36.12 required by the Board of Teaching; and

36.13 (2) holds or held an out-of-state teaching license to teach ~~the same~~ a similar content
 36.14 field and grade levels, where the scope of the out-of-state license is no more than two
 36.15 grade levels less than a similar Minnesota license, but has not completed field-specific
 36.16 teaching methods or student teaching or equivalent experience.

36.17 The applicant may complete field-specific teaching methods and student teaching
 36.18 or equivalent experience by successfully participating in a one-year school district
 36.19 mentorship program consistent with board-adopted standards of effective practice and
 36.20 Minnesota graduation requirements.

36.21 ~~(e)~~ (f) The Board of Teaching must issue a temporary teaching license for a term
 36.22 of up to three years only in the content field or grade levels specified in the out-of-state
 36.23 license to an applicant who:

36.24 (1) successfully completed all exams and human relations preparation components
 36.25 required by the Board of Teaching; and

36.26 (2) holds or held an out-of-state teaching license where the out-of-state license is
 36.27 more limited in the content field or grade levels than a similar Minnesota license.

36.28 ~~(f)~~ (g) The Board of Teaching must not issue to an applicant more than three
 36.29 one-year temporary teaching licenses under this subdivision.

36.30 ~~(g)~~ (h) The Board of Teaching ~~must not~~ may issue a license under this subdivision if
 36.31 the applicant has ~~not~~ attained the additional degrees, credentials, or licenses required in
 36.32 a particular licensure field and the applicant can demonstrate competency by obtaining
 36.33 qualifying scores on the college-level skills examination in reading, writing, and
 36.34 mathematics or demonstrating attainment of essentially equivalent passing scores on the
 36.35 ACT Plus Writing or SAT, and on applicable board-approved rigorous content area and
 36.36 pedagogy examinations under section 122A.09, subdivision 4, paragraphs (a) and (e).

37.1 ~~(h)~~ (i) The Board of Teaching must require an applicant for a teaching license
 37.2 or a temporary teaching license under this subdivision to pass a college-level skills
 37.3 examination in reading, writing, and mathematics or demonstrate, consistent with section
 37.4 122A.09, subdivision 4, the applicant's attainment of either the requisite composite ACT
 37.5 Plus Writing or SAT score essentially equivalent passing scores before the board issues
 37.6 the license unless, notwithstanding other provisions of this subdivision, an applicable
 37.7 board-approved National Association of State Directors of Teacher Education interstate
 37.8 reciprocity agreement exists to allow fully certified teachers from other states to transfer
 37.9 their certification to Minnesota.

37.10 Subd. 3. Teacher licensure agreements with adjoining states. (a) Notwithstanding
 37.11 other law to the contrary, the Board of Teaching must enter into interstate agreements for
 37.12 teacher licensure to allow fully certified teachers from adjoining states to transfer their
 37.13 certification to Minnesota and receive a full, five-year continuing teaching license without
 37.14 having to complete any additional exams or other preparation requirements. The board
 37.15 must enter into these interstate agreements only after determining that the rigor of the
 37.16 teacher licensure or certification requirements in the adjoining state is commensurate with
 37.17 the rigor of Minnesota's teacher licensure requirements. The board may limit an interstate
 37.18 agreement to particular content fields or grade levels based on established priorities or
 37.19 identified shortages. This subdivision does not apply to out-of-state applicants holding
 37.20 only a provisional teaching license.

37.21 (b) The Board of Teaching is strongly encouraged to work with designated
 37.22 authorities in adjoining states to establish reciprocal interstate teacher licensure
 37.23 agreements under this section.

37.24 **EFFECTIVE DATE.** This section is effective August 1, 2015.

37.25 Sec. 18. Minnesota Statutes 2014, section 122A.245, subdivision 1, is amended to read:

37.26 Subdivision 1. **Requirements.** (a) To improve academic excellence, improve ethnic
 37.27 and cultural diversity in the classroom, and close the academic achievement gap, the
 37.28 Board of Teaching must approve qualified teacher preparation programs under this section
 37.29 that are a means to acquire a two-year limited-term license, which the board may renew
 37.30 one time for an additional one-year term, and to prepare for acquiring a standard license.
 37.31 The following entities are eligible to participate under this section:

37.32 (1) a school district or, charter school, or nonprofit corporation organized under
 37.33 chapter 317A for an education-related purpose that forms a partnership with a college or
 37.34 university that has a board-approved alternative teacher preparation program; or

38.1 (2) a school district ~~or~~, charter school, or nonprofit corporation organized under
38.2 chapter 317A for an education-related purpose after consulting with a college or university
38.3 with a board-approved teacher preparation program, that forms a partnership with a
38.4 nonprofit corporation organized under chapter 317A for an education-related purpose that
38.5 has a board-approved teacher preparation program.

38.6 (b) Before ~~participating in this program~~ becoming a teacher of record, a candidate
38.7 must:

38.8 (1) have a bachelor's degree with a 3.0 or higher grade point average unless the
38.9 board waives the grade point average requirement based on board-adopted criteria adopted
38.10 by January 1, 2016;

38.11 (2) pass the reading, writing, and mathematics college-level skills examination under
38.12 section 122A.09, subdivision 4, paragraph (b), or demonstrate attainment of either ACT
38.13 Plus Writing or SAT essentially equivalent passing scores; and

38.14 (3) obtain qualifying scores on applicable board-approved rigorous content area and
38.15 pedagogy examinations under section 122A.09, subdivision 4, paragraph (e).

38.16 (c) The Board of Teaching must issue a two-year limited-term license to a person
38.17 who enrolls in an alternative teacher preparation program. This limited term license is not
38.18 a provisional license under section 122A.40 or 122A.41.

38.19 Sec. 19. Minnesota Statutes 2014, section 122A.245, subdivision 3, is amended to read:

38.20 Subd. 3. **Program approval; disapproval.** (a) The Board of Teaching must approve
38.21 alternative teacher preparation programs under this section based on board-adopted
38.22 criteria that reflect best practices for alternative teacher preparation programs, consistent
38.23 with this section.

38.24 (b) The board must permit teacher candidates to demonstrate mastery of pedagogy
38.25 and content standards in school-based settings and through other nontraditional means.
38.26 "Nontraditional means" must include a portfolio of previous experiences, teaching
38.27 experience, educator evaluations, certifications marking the completion of education
38.28 training programs, and essentially equivalent demonstrations.

38.29 (c) The board must use nontraditional criteria to determine the qualifications of
38.30 program instructors.

38.31 (d) The board may permit instructors to hold a baccalaureate degree only.

38.32 (b) (e) If the Board of Teaching determines that a teacher preparation program under
38.33 this section does not meet the requirements of this section, it may revoke its approval
38.34 of the program after it notifies the program provider of any deficiencies and gives the
38.35 program provider an opportunity to remedy the deficiencies.

39.1 Sec. 20. Minnesota Statutes 2014, section 122A.245, subdivision 7, is amended to read:

39.2 Subd. 7. **Standard license.** The Board of Teaching must issue a standard license
 39.3 to an otherwise qualified teacher candidate under this section who successfully performs
 39.4 throughout a program under this section, ~~successfully completes all required~~ obtains
 39.5 qualifying scores on applicable board-approved rigorous college-level skills, pedagogy,
 39.6 and content area examinations under section 122A.09, subdivision 4, paragraphs (a) and
 39.7 (e), and is recommended for licensure under subdivision 5 or successfully demonstrates to
 39.8 the board qualifications for licensure under subdivision 6.

39.9 Sec. 21. Minnesota Statutes 2014, section 122A.25, is amended to read:

39.10 **122A.25 NONLICENSED COMMUNITY EXPERTS; VARIANCE.**

39.11 Subdivision 1. **Authorization.** Notwithstanding any law, Board of Teaching rule, or
 39.12 commissioner of education rule to the contrary, the Board of Teaching may allow school
 39.13 districts or charter schools to may hire nonlicensed community experts to teach in the
 39.14 public schools or charter schools on a limited basis according to this section after making
 39.15 efforts to obtain acceptable licensed teachers for the particular course or subject area,
 39.16 consistent with subdivision 2, clause (3). A school district or charter school must notify a
 39.17 student's parent or guardian before placing the student in the classroom of a nonlicensed
 39.18 community expert hired by the district or school to provide instruction under this section.

39.19 Subd. 2. **Applications Reports; criteria.** The school district or charter school
 39.20 shall apply report to the Board of Teaching for approval when it uses a variance to hire
 39.21 nonlicensed teaching personnel from the community. ~~In approving or disapproving the~~
 39.22 ~~application for each community expert,~~ The board report shall consider include:

39.23 (1) the qualifications of the community person whom the district or charter school
 39.24 ~~proposes to employ~~ employs;

39.25 (2) the unique and compelling reasons for the need for a variance from the teacher
 39.26 licensure requirements;

39.27 (3) the district's efforts to obtain licensed teachers, who are acceptable to the school
 39.28 board, for the particular course or subject area or the charter school's efforts to obtain
 39.29 licensed teachers for the particular course or subject area;

39.30 (4) the amount of teaching time for which the community expert ~~would be~~ is hired;

39.31 (5) the extent to which the district or charter school ~~is utilizing~~ uses other
 39.32 nonlicensed community experts under this section;

39.33 (6) the nature of the community expert's ~~proposed~~ teaching responsibility; and

39.34 (7) the ~~proposed~~ level of compensation to be paid to the community expert.

40.1 Subd. 3. ~~Approval of plan~~ **Comment on variance.** The Board of Teaching shall
40.2 ~~approve or disapprove an application~~ may comment on a district or charter school report
40.3 under subdivision 2 within 60 days of receiving it ~~from a school~~ and the district or charter
40.4 school must post the comment on its official Web site.

40.5 Subd. 4. **Background check.** A school district or charter school shall provide
40.6 confirm to the Board of Teaching ~~with confirmation~~ that criminal background checks ~~have~~
40.7 ~~been~~ were completed for all nonlicensed community experts employed by the district or
40.8 charter school ~~and approved by the Board of Teaching~~ under this section.

40.9 **EFFECTIVE DATE.** This section is effective the day following final enactment
40.10 and applies to all nonlicensed community experts hired or sponsored after that date.

40.11 Sec. 22. Minnesota Statutes 2014, section 122A.30, is amended to read:

40.12 **122A.30 EXEMPTION FOR TECHNICAL COLLEGE EDUCATION**
40.13 **INSTRUCTORS.**

40.14 Notwithstanding section 122A.15, subdivision 1, and upon approval of the local
40.15 employer school board, a person who teaches in a part-time vocational or career and
40.16 technical education program ~~not more than 61 hours per fiscal year~~ is exempt from a
40.17 license requirement.

40.18 **EFFECTIVE DATE.** This section is effective the day following final enactment
40.19 and applies to all technical education instructors hired after that date.

40.20 Sec. 23. Minnesota Statutes 2014, section 122A.40, subdivision 5, is amended to read:

40.21 Subd. 5. **Probationary period.** (a) The first three consecutive years of a teacher's
40.22 first teaching experience in Minnesota in a single district is deemed to be a probationary
40.23 period of employment, and, the probationary period in each district in which the teacher is
40.24 thereafter employed shall be one year. The school board must adopt a plan for written
40.25 evaluation of teachers during the probationary period that is consistent with subdivision
40.26 8. Evaluation must occur at least three times periodically throughout each school year
40.27 for a teacher performing services during that school year; the first evaluation must occur
40.28 within the first 90 days of teaching service. Days devoted to parent-teacher conferences,
40.29 teachers' workshops, and other staff development opportunities and days on which a
40.30 teacher is absent from school must not be included in determining the number of school
40.31 days on which a teacher performs services. Except as otherwise provided in paragraph
40.32 (b), during the probationary period any annual contract with any teacher may or may not
40.33 be renewed (1) as the school board shall see fit, or (2) consistent with the negotiated

41.1 unrequested leave of absence plan in effect under subdivision 10. However, the board
 41.2 must give any such teacher whose contract it declines to renew for the following school
 41.3 year written notice to that effect before July 1. If the teacher requests reasons for any
 41.4 nonrenewal of a teaching contract, the board must give the teacher its reason in writing,
 41.5 including a statement that appropriate supervision was furnished describing the nature and
 41.6 the extent of such supervision furnished the teacher during the employment by the board,
 41.7 within ten days after receiving such request. The school board may, after a hearing held
 41.8 upon due notice, discharge a teacher during the probationary period for cause, effective
 41.9 immediately, under section 122A.44.

41.10 (b) A board must discharge a probationary teacher, effective immediately, upon
 41.11 receipt of notice under section 122A.20, subdivision 1, paragraph (b), that the teacher's
 41.12 license has been revoked due to a conviction for child abuse or sexual abuse.

41.13 (c) A probationary teacher whose first three years of consecutive employment are
 41.14 interrupted for active military service and who promptly resumes teaching consistent with
 41.15 federal reemployment timelines for uniformed service personnel under United States
 41.16 Code, title 38, section 4312(e), is considered to have a consecutive teaching experience
 41.17 for purposes of paragraph (a).

41.18 (d) A probationary teacher whose first three years of consecutive employment are
 41.19 interrupted for maternity, paternity, or medical leave and who resumes teaching within 12
 41.20 months of when the leave began is considered to have a consecutive teaching experience
 41.21 for purposes of paragraph (a) if the probationary teacher completes a combined total of
 41.22 three years of teaching service immediately before and after the leave.

41.23 (e) A probationary teacher must complete at least 120 days of teaching service each
 41.24 year during the probationary period. Days devoted to parent-teacher conferences, teachers'
 41.25 workshops, and other staff development opportunities and days on which a teacher is
 41.26 absent from school do not count as days of teaching service under this paragraph.

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

41.28 Sec. 24. Minnesota Statutes 2014, section 122A.40, subdivision 8, is amended to read:

41.29 Subd. 8. **Development, evaluation, and peer coaching for continuing contract**
 41.30 **teachers.** (a) To improve student learning and success, a school board and an exclusive
 41.31 representative of the teachers in the district, consistent with paragraph (b), may develop
 41.32 a teacher evaluation and peer review process for probationary and continuing contract
 41.33 teachers through joint agreement. If a school board and the exclusive representative of the
 41.34 teachers do not agree to an annual teacher evaluation and peer review process, then the
 41.35 school board and the exclusive representative of the teachers must implement the state

42.1 teacher evaluation plan under paragraph (c). The process must include having trained
42.2 observers serve as peer coaches or having teachers participate in professional learning
42.3 communities, consistent with paragraph (b).

42.4 (b) To develop, improve, and support qualified teachers and effective teaching
42.5 practices and improve student learning and success, the annual evaluation process for
42.6 teachers:

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

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

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

42.15 (4) must coordinate staff development activities under sections 122A.60 and
42.16 122A.61 with this evaluation process and teachers' evaluation outcomes;

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

42.19 (6) may include job-embedded learning opportunities such as professional learning
42.20 communities;

42.21 (7) may include mentoring and induction programs;

42.22 (8) must include an option for teachers to develop and present a portfolio
42.23 demonstrating evidence of reflection and professional growth, consistent with section
42.24 122A.18, subdivision 4, paragraph (b), and include teachers' own performance assessment
42.25 based on student work samples and examples of teachers' work, which may include video
42.26 among other activities for the summative evaluation;

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

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

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

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

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

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

43.14 (c) The department, in consultation with parents who may represent parent
43.15 organizations and teacher and administrator representatives appointed by their respective
43.16 organizations, representing the Board of Teaching, the Minnesota Association of School
43.17 Administrators, the Minnesota School Boards Association, the Minnesota Elementary
43.18 and Secondary Principals Associations, Education Minnesota, and representatives of
43.19 the Minnesota Assessment Group, the Minnesota Business Partnership, the Minnesota
43.20 Chamber of Commerce, and Minnesota postsecondary institutions with research expertise
43.21 in teacher evaluation, must create and publish a teacher evaluation process that complies
43.22 with the requirements in paragraph (b) and applies to all teachers under this section and
43.23 section 122A.41 for whom no agreement exists under paragraph (a) for an annual teacher
43.24 evaluation and peer review process. The teacher evaluation process created under this
43.25 subdivision does not create additional due process rights for probationary teachers under
43.26 subdivision 5.

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

43.28 (1) for students in kindergarten through grade 4, a school administrator must not
43.29 place a student in consecutive school years in the classroom of a teacher with the lowest
43.30 evaluation rating in the previous school year unless no other teacher at the school teaches
43.31 that grade; and

43.32 (2) for students in grades 5 through 12, a school administrator must not place
43.33 students in consecutive school years in the classroom of a teacher with the lowest
43.34 evaluation rating in the previous school year unless no other teacher at the school teaches
43.35 that subject area and grade.

44.1 **EFFECTIVE DATE.** This section is effective for the 2017-2018 school year and
44.2 later, except paragraph (b), clause (7), is effective for the 2015-2016 school year and later.

44.3 Sec. 25. Minnesota Statutes 2014, section 122A.40, subdivision 10, is amended to read:

44.4 Subd. 10. **Negotiated unrequested leave of absence.** (a) The school board
44.5 and the exclusive bargaining representative of the teachers ~~may~~ must negotiate a plan,
44.6 consistent with subdivision 8, providing for unrequested leave of absence without pay or
44.7 fringe benefits for as many teachers as may be necessary because of discontinuance of
44.8 position, lack of pupils, financial limitations, or merger of classes caused by consolidation
44.9 of districts. ~~Failing to successfully negotiate such a plan, the provisions of subdivision~~
44.10 ~~H shall apply.~~ The negotiated plan must not include provisions which would result in
44.11 the exercise of seniority by a teacher holding only a provisional license, other than a
44.12 vocational education license, ~~contrary to the provisions of subdivision H, paragraph (e)~~
44.13 if required for the position, or the reinstatement of a teacher holding only a provisional
44.14 license, other than a vocational education license, ~~contrary to the provisions of subdivision~~
44.15 ~~H, paragraph (e) required for the position.~~ The provisions of section 179A.16 do not
44.16 apply for the purposes of this subdivision.

44.17 (b) Beginning in the 2017-2018 school year and later, and notwithstanding any law
44.18 to the contrary, a school board must place teachers on unrequested leave of absence based
44.19 on their subject matter licensure fields, most recent evaluation outcomes and effectiveness
44.20 category or rating under subdivision 8, and other, locally determined criteria such as
44.21 teacher seniority, and may include both probationary teachers and continuing contract
44.22 teachers within an effectiveness category or rating. For purposes of placing a teacher on
44.23 unrequested leave of absence or recalling a teacher from unrequested leave of absence, a
44.24 school board is not required to reassign a teacher with more seniority to accommodate the
44.25 seniority claims of a teacher who is similarly licensed and effective but with less seniority.
44.26 Nothing in this paragraph permits a school board to use a teacher's remuneration as a basis
44.27 for making unrequested leave of absence decisions. Any executed employment contract
44.28 between the school board and the exclusive representative of the teachers must contain the
44.29 negotiated unrequested leave of absence plan. The school board must publish in a readily
44.30 accessible format the unrequested leave of absence plan it negotiates under this paragraph.

44.31 (c) A teacher who receives notice of being placed on unrequested leave of absence
44.32 under paragraph (b) may submit to the board, within 14 days of receiving the notice, a
44.33 written request for a hearing before a neutral hearing officer to establish whether the
44.34 district met the following teacher evaluation requirements under subdivision 8: if the
44.35 teacher is a probationary teacher, all evaluations required under subdivision 5 were

45.1 provided; a three-year professional review cycle was established for the teacher; any
 45.2 summative evaluation of the teacher was performed by a qualified and trained evaluator;
 45.3 a peer review evaluation occurred in any year when the teacher was not evaluated by a
 45.4 qualified and trained evaluator; and if the teacher did not meet professional teaching
 45.5 standards, a teacher improvement process with goals and timelines was established. The
 45.6 school board and the exclusive representative of the teachers must agree on a panel of
 45.7 people and a process to select the person to hear the matter. The hearing officer must issue
 45.8 a decision within 14 days of the request for the hearing. Nothing in this subdivision
 45.9 prevents a school board and the exclusive representative of the teachers from negotiating a
 45.10 different process for determining whether the teacher evaluation requirements listed in
 45.11 this subdivision were met.

45.12 (d) Evaluation outcomes and effectiveness categories under paragraph (b) must not
 45.13 be used to place a teacher on unrequested leave of absence if the principal evaluating the
 45.14 teacher is on an improvement plan under section 123B.147, subdivision 3, paragraph
 45.15 (b), clause (8).

45.16 (e) For purposes of this subdivision, a provisional license is a license to teach issued
 45.17 by the Board of Teaching under a waiver or variance.

45.18 **EFFECTIVE DATE.** This section is effective the day following final enactment and
 45.19 applies to negotiated plans for unrequested leave of absence agreed to on or after that date.

45.20 Sec. 26. Minnesota Statutes 2014, section 122A.40, subdivision 11, is amended to read:

45.21 Subd. 11. **Unrequested leave of absence.** (a) The board may place on unrequested
 45.22 leave of absence, without pay or fringe benefits, as many teachers as may be necessary
 45.23 because of discontinuance of position, lack of pupils, financial limitations, or merger of
 45.24 classes caused by consolidation or reorganization of districts under chapter 123A. The
 45.25 unrequested leave is effective at the close of the school year.

45.26 (b) In placing teachers on unrequested leave in the 2014-2015 through 2016-2017
 45.27 school years only, the board is governed by the following provisions: in this subdivision.

45.28 (a) (c) The board may place probationary teachers on unrequested leave first in the
 45.29 inverse order of their employment. A teacher who has acquired continuing contract rights
 45.30 must not be placed on unrequested leave of absence while probationary teachers are retained
 45.31 in positions for which the teacher who has acquired continuing contract rights is licensed;

45.32 (b) (d) Teachers who have acquired continuing contract rights shall be placed on
 45.33 unrequested leave of absence in fields in which they are licensed in the inverse order
 45.34 in which they were employed by the school district. In the case of equal seniority, the

46.1 order in which teachers who have acquired continuing contract rights shall be placed on
46.2 unrequested leave of absence in fields in which they are licensed is negotiable;.

46.3 ~~(e)~~ (e) Notwithstanding the provisions of paragraph ~~(b)~~ (d), a teacher is not entitled
46.4 to exercise any seniority when that exercise results in that teacher being retained by the
46.5 district in a field for which the teacher holds only a provisional license, as defined by the
46.6 board of teaching, unless that exercise of seniority results in the placement on unrequested
46.7 leave of absence of another teacher who also holds a provisional license in the same field.
46.8 The provisions of this paragraph do not apply to vocational education licenses; required
46.9 for the available positions.

46.10 ~~(d)~~ (f) Notwithstanding paragraphs ~~(a)~~, ~~(b)~~, and ~~(c)~~, (d), and (e), if the placing of a
46.11 probationary teacher on unrequested leave before a teacher who has acquired continuing
46.12 rights, the placing of a teacher who has acquired continuing contract rights on unrequested
46.13 leave before another teacher who has acquired continuing contract rights but who has
46.14 greater seniority, or the restriction imposed by the provisions of paragraph ~~(e)~~ (e) would
46.15 place the district in violation of its affirmative action program, the district may retain the
46.16 probationary teacher, the teacher with less seniority, or the provisionally licensed teacher;.

46.17 ~~(e)~~ (g) For purposes of placing a teacher on unrequested leave of absence or
46.18 recalling a teacher from unrequested leave of absence, nothing in this subdivision requires
46.19 a school board to reassign a teacher to accommodate the seniority claims of a teacher who
46.20 is similarly licensed and effective but with less seniority.

46.21 (h) Teachers placed on unrequested leave of absence must be reinstated to the
46.22 positions from which they have been given leaves of absence or, if not available, to
46.23 other available positions in the school district in fields in which they are licensed.
46.24 Reinstatement must be in the inverse order of placement on leave of absence. A teacher
46.25 must not be reinstated to a position in a field in which the teacher holds only a provisional
46.26 license, other than a vocational education license, while another teacher who holds a
46.27 nonprovisional license in the same field remains on unrequested leave. The order of
46.28 reinstatement of teachers who have equal seniority and who are placed on unrequested
46.29 leave in the same school year is negotiable;.

46.30 ~~(f)~~ (i) Appointment of a new teacher must not be made while there is available, on
46.31 unrequested leave, a teacher who is properly licensed to fill such vacancy, unless the
46.32 teacher fails to advise the school board within 30 days of the date of notification that a
46.33 position is available to that teacher who may return to employment and assume the duties
46.34 of the position to which appointed on a future date determined by the board;.

46.35 ~~(g)~~ (j) A teacher placed on unrequested leave of absence may engage in teaching
46.36 or any other occupation during the period of this leave;.

47.1 ~~(h)~~ (k) The unrequested leave of absence must not impair the continuing contract
47.2 rights of a teacher or result in a loss of credit for previous years of service;

47.3 ~~(i)~~ (l) Consistent with subdivision 10, the unrequested leave of absence of a teacher
47.4 who is categorized as effective or better under subdivision 8, who is placed on unrequested
47.5 leave of absence, and who is not reinstated shall continue for a period of five years,
47.6 after which the right to reinstatement shall terminate terminates. The teacher's right to
47.7 reinstatement shall also ~~terminate~~ terminate if the teacher fails to file with the board by
47.8 April 1 of any each year a written statement requesting reinstatement;

47.9 ~~(m)~~ Consistent with subdivision 10, the unrequested leave of absence of a teacher
47.10 who is categorized as ineffective or less under subdivision 8, who is placed on unrequested
47.11 leave of absence, and who is not reinstated continues for the following school year
47.12 only, after which the teacher's right to reinstatement terminates. The teacher's right to
47.13 reinstatement also terminates if the teacher fails to file with the board by April 1 in that
47.14 following school year a written statement requesting reinstatement.

47.15 ~~(j)~~ (n) The same provisions applicable to terminations of probationary or continuing
47.16 contracts in subdivisions 5 and 7 must apply to placement on unrequested leave of absence;

47.17 ~~(k)~~ (o) Nothing in this subdivision shall be construed to impair the rights of teachers
47.18 placed on unrequested leave of absence to receive unemployment benefits if otherwise
47.19 eligible.

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

47.21 Sec. 27. Minnesota Statutes 2014, section 122A.40, subdivision 13, is amended to read:

47.22 Subd. 13. **Immediate discharge.** (a) Except as otherwise provided in paragraph
47.23 (b), a board may discharge a continuing-contract teacher, effective immediately, upon any
47.24 of the following grounds:

47.25 (1) immoral conduct, insubordination, or conviction of a felony;

47.26 (2) conduct unbecoming a teacher which requires the immediate removal of the
47.27 teacher from classroom or other duties;

47.28 (3) failure without justifiable cause to teach without first securing the written release
47.29 of the school board;

47.30 (4) gross inefficiency which the teacher has failed to correct after reasonable written
47.31 notice;

47.32 (5) willful neglect of duty; or

47.33 (6) continuing physical or mental disability subsequent to a 12 months leave of
47.34 absence and inability to qualify for reinstatement in accordance with subdivision 12.

48.1 For purposes of this paragraph, conduct unbecoming a teacher includes an unfair
48.2 discriminatory practice described in section 363A.13.

48.3 Prior to discharging a teacher under this paragraph, the board must notify the teacher
48.4 in writing and state its ground for the proposed discharge in reasonable detail. Within
48.5 ten days after receipt of this notification the teacher may make a written request for a
48.6 hearing before the board and it shall be granted before final action is taken. The board
48.7 may suspend a teacher with pay pending the conclusion of the hearing and determination
48.8 of the issues raised in the hearing after charges have been filed which constitute ground for
48.9 discharge. If a teacher has been charged with a felony and the underlying conduct that
48.10 is the subject of the felony charge is a ground for a proposed immediate discharge, the
48.11 suspension pending the conclusion of the hearing and determination of the issues may be
48.12 without pay. If a hearing under this paragraph is held, the board must reimburse the teacher
48.13 for any salary or compensation withheld if the final decision of the board or the arbitrator
48.14 does not result in a penalty to or suspension, termination, or discharge of the teacher.

48.15 (b) A board must discharge a continuing-contract teacher, effective immediately,
48.16 upon receipt of notice under section 122A.20, subdivision 1, paragraph (b), that the
48.17 teacher's license has been revoked due to a conviction for child abuse ~~or~~, as defined in
48.18 section 609.185; sex trafficking in the first degree under section 609.322, subdivision 1;
48.19 sex trafficking in the second degree under section 609.322, subdivision 1a; engaging
48.20 in hiring or agreeing to hire a minor to engage in prostitution under section 609.324,
48.21 subdivision 1; sexual abuse under section 609.342, 609.343, 609.344, 609.345, 609.3451,
48.22 subdivision 3, or 617.23, subdivision 3; solicitation of children to engage in sexual
48.23 conduct or communication of sexually explicit materials to children under section
48.24 609.352; interference with privacy under section 609.746 or stalking under section
48.25 609.749 and the victim was a minor; using minors in a sexual performance under section
48.26 617.246; possessing pornographic works involving a minor under section 617.247; or
48.27 any other offense not listed in this paragraph that requires the person to register as a
48.28 predatory offender under section 243.166, or a crime under a similar law of another state
48.29 or the United States.

48.30 (c) When a teacher is discharged under paragraph (b) or when the commissioner
48.31 makes a final determination of child maltreatment involving a teacher under section
48.32 626.556, subdivision 11, the school principal or other person having administrative
48.33 control of the school must include in the teacher's employment record the information
48.34 contained in the record of the disciplinary action or the final maltreatment determination,
48.35 consistent with the definition of public data under section 13.41, subdivision 5, and must
48.36 provide the Board of Teaching and the licensing division at the department with the

49.1 necessary and relevant information to enable the Board of Teaching and the department's
49.2 licensing division to fulfill their statutory and administrative duties related to issuing,
49.3 renewing, suspending, or revoking a teacher's license. Information received by the Board
49.4 of Teaching or the licensing division at the department under this paragraph is governed
49.5 by section 13.41 or other applicable law governing data of the receiving entity. In addition
49.6 to the background check required under section 123B.03, a school board or other school
49.7 hiring authority must contact the Board of Teaching and the department to determine
49.8 whether the teacher's license has been suspended or revoked, consistent with the discharge
49.9 and final maltreatment determinations identified in this paragraph. Unless restricted by
49.10 federal or state data practices law or by the terms of a collective bargaining agreement,
49.11 the responsible authority for a school district must disseminate to another school district
49.12 private personnel data on a current or former teacher employee or contractor of the district,
49.13 including the results of background investigations, if the requesting school district seeks
49.14 the information because the subject of the data has applied for employment with the
49.15 requesting school district.

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

49.17 Sec. 28. Minnesota Statutes 2014, section 122A.41, subdivision 2, is amended to read:

49.18 Subd. 2. **Probationary period; discharge or demotion.** (a) All teachers in
49.19 the public schools in cities of the first class during the first three years of consecutive
49.20 employment shall be deemed to be in a probationary period of employment during which
49.21 period any annual contract with any teacher may, or may not, be renewed (1) as the school
49.22 board, after consulting with the peer review committee charged with evaluating the
49.23 probationary teachers under subdivision 3, shall see fit, or (2) consistent with the negotiated
49.24 plan for discontinuing or terminating teachers in effect under subdivision 14. The school
49.25 site management team or the school board if there is no school site management team, shall
49.26 adopt a plan for a written evaluation of teachers during the probationary period according
49.27 to subdivisions 3 and 5. Evaluation by the peer review committee charged with evaluating
49.28 probationary teachers under subdivision 3 shall occur at least three times periodically
49.29 throughout each school year for a teacher performing services during that school year; the
49.30 first evaluation must occur within the first 90 days of teaching service. Days devoted to
49.31 parent-teacher conferences, teachers' workshops, and other staff development opportunities
49.32 and days on which a teacher is absent from school shall not be included in determining the
49.33 number of school days on which a teacher performs services. The school board may, during
49.34 such probationary period, discharge or demote a teacher for any of the causes as specified
49.35 in this code. A written statement of the cause of such discharge or demotion shall be given

50.1 to the teacher by the school board at least 30 days before such removal or demotion shall
50.2 become effective, and the teacher so notified shall have no right of appeal therefrom.

50.3 (b) A probationary teacher whose first three years of consecutive employment are
50.4 interrupted for active military service and who promptly resumes teaching consistent with
50.5 federal reemployment timelines for uniformed service personnel under United States
50.6 Code, title 38, section 4312(e), is considered to have a consecutive teaching experience
50.7 for purposes of paragraph (a).

50.8 (c) A probationary teacher whose first three years of consecutive employment are
50.9 interrupted for maternity, paternity, or medical leave and who resumes teaching within 12
50.10 months of when the leave began is considered to have a consecutive teaching experience
50.11 for purposes of paragraph (a) if the probationary teacher completes a combined total of
50.12 three years of teaching service immediately before and after the leave.

50.13 (d) A probationary teacher must complete at least 120 days of teaching service each
50.14 year during the probationary period. Days devoted to parent-teacher conferences, teachers'
50.15 workshops, and other staff development opportunities and days on which a teacher is
50.16 absent from school do not count as days of teaching service under this paragraph.

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

50.18 Sec. 29. Minnesota Statutes 2014, section 122A.41, subdivision 5, is amended to read:

50.19 Subd. 5. **Development, evaluation, and peer coaching for continuing contract**
50.20 **teachers.** (a) To improve student learning and success, a school board and an exclusive
50.21 representative of the teachers in the district, consistent with paragraph (b), may develop an
50.22 annual teacher evaluation and peer review process for probationary and nonprobationary
50.23 teachers through joint agreement. If a school board and the exclusive representative of
50.24 the teachers in the district do not agree to an annual teacher evaluation and peer review
50.25 process, then the school board and the exclusive representative of the teachers must
50.26 implement the state teacher evaluation plan developed under paragraph (c). The process
50.27 must include having trained observers serve as peer coaches or having teachers participate
50.28 in professional learning communities, consistent with paragraph (b).

50.29 (b) To develop, improve, and support qualified teachers and effective teaching
50.30 practices and improve student learning and success, the annual evaluation process for
50.31 teachers:

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

50.34 (2) must establish a three-year professional review cycle for each teacher that
50.35 includes an individual growth and development plan, a peer review process, and at least

51.1 one summative evaluation performed by a qualified and trained evaluator such as a school
51.2 administrator;

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

51.4 (4) must coordinate staff development activities under sections 122A.60 and
51.5 122A.61 with this evaluation process and teachers' evaluation outcomes;

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

51.8 (6) may include job-embedded learning opportunities such as professional learning
51.9 communities;

51.10 (7) may include mentoring and induction programs;

51.11 (8) must include an option for teachers to develop and present a portfolio
51.12 demonstrating evidence of reflection and professional growth, consistent with section
51.13 122A.18, subdivision 4, paragraph (b), and include teachers' own performance assessment
51.14 based on student work samples and examples of teachers' work, which may include video
51.15 among other activities for the summative evaluation;

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

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

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

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

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

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

52.1 (c) The department, in consultation with parents who may represent parent
 52.2 organizations and teacher and administrator representatives appointed by their respective
 52.3 organizations, representing the Board of Teaching, the Minnesota Association of School
 52.4 Administrators, the Minnesota School Boards Association, the Minnesota Elementary
 52.5 and Secondary Principals Associations, Education Minnesota, and representatives of
 52.6 the Minnesota Assessment Group, the Minnesota Business Partnership, the Minnesota
 52.7 Chamber of Commerce, and Minnesota postsecondary institutions with research expertise
 52.8 in teacher evaluation, must create and publish a teacher evaluation process that complies
 52.9 with the requirements in paragraph (b) and applies to all teachers under this section and
 52.10 section 122A.40 for whom no agreement exists under paragraph (a) for an annual teacher
 52.11 evaluation and peer review process. The teacher evaluation process created under this
 52.12 subdivision does not create additional due process rights for probationary teachers under
 52.13 subdivision 2.

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

52.15 (1) for students in kindergarten through grade 4, a school administrator must not
 52.16 place a student in consecutive school years in the classroom of a teacher with the lowest
 52.17 evaluation rating in the previous school year unless no other teacher at the school teaches
 52.18 that grade; and

52.19 (2) for students in grades 5 through 12, a school administrator must not place
 52.20 students in consecutive school years in the classroom of a teacher with the lowest
 52.21 evaluation rating in the previous school year unless no other teacher at the school teaches
 52.22 that subject area and grade.

52.23 **EFFECTIVE DATE.** This section is effective for the 2017-2018 school year and
 52.24 later, except paragraph (b), clause (7), is effective for the 2015-2016 school year and later.

52.25 Sec. 30. Minnesota Statutes 2014, section 122A.41, subdivision 6, is amended to read:

52.26 Subd. 6. **Grounds for discharge or demotion.** (a) Except as otherwise provided
 52.27 in paragraph (b), causes for the discharge or demotion of a teacher either during or after
 52.28 the probationary period must be:

52.29 (1) immoral character, conduct unbecoming a teacher, or insubordination;

52.30 (2) failure without justifiable cause to teach without first securing the written release
 52.31 of the school board having the care, management, or control of the school in which the
 52.32 teacher is employed;

52.33 (3) inefficiency in teaching or in the management of a school, consistent with
 52.34 subdivision 5, paragraph (b);

53.1 (4) affliction with a communicable disease must be considered as cause for removal
53.2 or suspension while the teacher is suffering from such disability; or

53.3 (5) discontinuance of position or lack of pupils.

53.4 For purposes of this paragraph, conduct unbecoming a teacher includes an unfair
53.5 discriminatory practice described in section 363A.13.

53.6 (b) A probationary or continuing-contract teacher must be discharged immediately
53.7 upon receipt of notice under section 122A.20, subdivision 1, paragraph (b), that the
53.8 teacher's license has been revoked due to a conviction for child abuse ~~or~~, as defined in
53.9 section 609.185; sex trafficking in the first degree under section 609.322, subdivision 1;
53.10 sex trafficking in the second degree under section 609.322, subdivision 1a; engaging
53.11 in hiring or agreeing to hire a minor to engage in prostitution under section 609.324,
53.12 subdivision 1; sexual abuse under section 609.342, 609.343, 609.344, 609.345, 609.3451,
53.13 subdivision 3, or 617.23, subdivision 3; solicitation of children to engage in sexual
53.14 conduct or communication of sexually explicit materials to children under section
53.15 609.352; interference with privacy under section 609.746 or stalking under section
53.16 609.749 and the victim was a minor; using minors in a sexual performance under section
53.17 617.246; possessing pornographic works involving a minor under section 617.247; or
53.18 any other offense not listed in this paragraph that requires the person to register as a
53.19 predatory offender under section 243.166, or a crime under a similar law of another state
53.20 or the United States.

53.21 (c) When a teacher is discharged under paragraph (b) or when the commissioner
53.22 makes a final determination of child maltreatment involving a teacher under section
53.23 626.556, subdivision 11, the school principal or other person having administrative
53.24 control of the school must include in the teacher's employment record the information
53.25 contained in the record of the disciplinary action or the final maltreatment determination,
53.26 consistent with the definition of public data under section 13.41, subdivision 5, and must
53.27 provide the Board of Teaching and the licensing division at the department with the
53.28 necessary and relevant information to enable the Board of Teaching and the department's
53.29 licensing division to fulfill their statutory and administrative duties related to issuing,
53.30 renewing, suspending, or revoking a teacher's license. Information received by the Board
53.31 of Teaching or the licensing division at the department under this paragraph is governed
53.32 by section 13.41 or other applicable law governing data of the receiving entity. In addition
53.33 to the background check required under section 123B.03, a school board or other school
53.34 hiring authority must contact the Board of Teaching and the department to determine
53.35 whether the teacher's license has been suspended or revoked, consistent with the discharge
53.36 and final maltreatment determinations identified in this paragraph. Unless restricted by

54.1 federal or state data practices law or by the terms of a collective bargaining agreement,
 54.2 the responsible authority for a school district must disseminate to another school district
 54.3 private personnel data on a current or former teacher employee or contractor of the district,
 54.4 including the results of background investigations, if the requesting school district seeks
 54.5 the information because the subject of the data has applied for employment with the
 54.6 requesting school district.

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

54.8 Sec. 31. Minnesota Statutes 2014, section 122A.41, subdivision 14, is amended to read:

54.9 Subd. 14. **Services terminated by discontinuance or lack of pupils; preference**
 54.10 **given.** (a) ~~A teacher whose services are terminated on account of discontinuance of~~
 54.11 ~~position or lack of pupils must receive first consideration for other positions in the district~~
 54.12 ~~for which that teacher is qualified.~~ In the event it becomes necessary to discontinue one
 54.13 or more positions in the 2014-2015 through the 2016-2017 school years, in making such
 54.14 discontinuance, teachers must receive first consideration for other positions in the district
 54.15 for which that teacher is qualified and must be discontinued in any department in the
 54.16 inverse order in which they were employed, unless.

54.17 (b) Beginning in the 2017-2018 school year and later, a board and the exclusive
 54.18 representative of teachers in the district must negotiate a plan providing otherwise,
 54.19 consistent with subdivision 5, for discontinuing and terminating teachers under this
 54.20 subdivision based on their subject matter licensure fields, most recent evaluation outcomes
 54.21 and effectiveness category or rating under subdivision 5, and other, locally determined
 54.22 criteria such as teacher seniority, and may include both probationary teachers and
 54.23 continuing contract teachers within an effectiveness category or rating. For purposes
 54.24 of discharging, demoting, or recalling a teacher whose services are discontinued or
 54.25 terminated under this subdivision, a school board is not required to reassign a teacher with
 54.26 more seniority to accommodate the seniority claims of a teacher who is similarly licensed
 54.27 and effective but with less seniority. Nothing in this paragraph permits a school board to
 54.28 use a teacher's remuneration as a basis for discontinuing or terminating a teacher. Any
 54.29 executed employment contract between the school board and the exclusive representative
 54.30 of the teachers must contain the negotiated plan for discontinuing or terminating teachers.
 54.31 The school board must publish in a readily accessible format any plan it negotiates for
 54.32 discontinuing or terminating teachers under this paragraph.

54.33 (c) A teacher who receives notice of discontinuance or termination under paragraph
 54.34 (b) may submit to the board, within 14 days of receiving the notice, a written request
 54.35 for a hearing before a neutral hearing officer to establish whether the district met the

55.1 following teacher evaluation requirements under subdivision 5: if the teacher is a
 55.2 probationary teacher, all evaluations required under subdivision 2 were provided; a
 55.3 three-year professional review cycle was established for the teacher; any summative
 55.4 evaluation of the teacher was performed by a qualified and trained evaluator; a peer review
 55.5 evaluation occurred in any year when the teacher was not evaluated by a qualified and
 55.6 trained evaluator; and if the teacher did not meet professional teaching standards, a teacher
 55.7 improvement process with goals and timelines was established. The school board and the
 55.8 exclusive representative of the teachers must agree on a panel of people and a process to
 55.9 select the person to hear the matter. The hearing officer must issue a decision within 14 days
 55.10 of the request for the hearing. Nothing in this subdivision prevents a school board and the
 55.11 exclusive representative of the teachers from negotiating a different process for determining
 55.12 whether the teacher evaluation requirements listed in this subdivision were met.

55.13 ~~(b)~~ (d) Notwithstanding the provisions of ~~clause paragraph~~ paragraph (a), for the 2014-2015
 55.14 through 2016-2017 school years, a teacher is not entitled to exercise any seniority when
 55.15 that exercise results in that teacher being retained by the district in a field for which the
 55.16 teacher holds only a provisional license, as defined by the Board of Teaching, unless that
 55.17 exercise of seniority results in ~~the termination of~~ terminating the services, on account
 55.18 of discontinuance of position or lack of pupils, of another teacher who also holds a
 55.19 provisional license in the same field. The provisions of this ~~clause paragraph~~ do not apply
 55.20 to vocational education licenses.

55.21 ~~(e)~~ (e) Notwithstanding the provisions of ~~clause paragraph~~ paragraph (a), for the 2014-2015
 55.22 through 2016-2017 school years, a teacher must not be reinstated to a position in a field
 55.23 in which the teacher holds only a provisional license, other than a vocational education
 55.24 license, while another teacher who holds a nonprovisional license in the same field is
 55.25 available for reinstatement.

55.26 (f) Evaluation outcomes and effectiveness categories under paragraph (b) must not
 55.27 be used to place a teacher on unrequested leave of absence if the principal evaluating the
 55.28 teacher is on an improvement plan under section 123B.147, subdivision 3, paragraph
 55.29 (b), clause (8).

55.30 **EFFECTIVE DATE.** This section is effective the day following final enactment
 55.31 and applies to negotiated plans for discontinuing or terminating teachers agreed to on or
 55.32 after that date.

55.33 Sec. 32. Minnesota Statutes 2014, section 122A.414, subdivision 2, is amended to read:

55.34 Subd. 2. **Alternative teacher professional pay system.** (a) To participate in this
 55.35 program, a school district, intermediate school district, school site, or charter school must

56.1 have an educational improvement plan under section 122A.413 and an alternative teacher
56.2 professional pay system agreement under paragraph (b). A charter school participant also
56.3 must comply with subdivision 2a.

56.4 (b) The alternative teacher professional pay system agreement must:

56.5 (1) describe how teachers can achieve career advancement and additional
56.6 compensation;

56.7 (2) describe how the school district, intermediate school district, school site, or
56.8 charter school will provide teachers with career advancement options that allow teachers
56.9 to retain primary roles in student instruction and facilitate site-focused professional
56.10 development that helps other teachers improve their skills;

56.11 (3) reform the "steps and lanes" salary schedule, prevent any teacher's compensation
56.12 paid before implementing the pay system from being reduced as a result of participating in
56.13 this system, base at least 60 percent of any compensation increase on teacher performance
56.14 using:

56.15 (i) schoolwide student achievement gains under section 120B.35 or locally selected
56.16 standardized assessment outcomes, or both;

56.17 (ii) measures of student growth and literacy that may include value-added models
56.18 or student learning goals, consistent with section 122A.40, subdivision 8, clause (9), or
56.19 122A.41, subdivision 5, clause (9), and other measures that include the academic literacy,
56.20 oral academic language, and achievement of English learners under section 122A.40,
56.21 subdivision 8, clause (10), or 122A.41, subdivision 5, clause (10); and

56.22 (iii) an objective evaluation program under section 122A.40, subdivision 8,
56.23 paragraph (b), clause (2), or 122A.41, subdivision 5, paragraph (b), clause (2);

56.24 (4) provide for participation in job-embedded learning opportunities such as
56.25 professional learning communities to improve instructional skills and learning that are
56.26 aligned with student needs under section 122A.413, consistent with the staff development
56.27 plan under section 122A.60 and led during the school day by trained teacher leaders
56.28 such as master or mentor teachers;

56.29 (5) allow any teacher in a participating school district, intermediate school district,
56.30 school site, or charter school that implements an alternative pay system to participate in
56.31 that system without any quota or other limit; and

56.32 (6) encourage collaboration rather than competition among teachers.

56.33 (c) The alternative teacher professional pay system may:

56.34 (1) include a hiring bonus or other added compensation for teachers who are
56.35 identified as effective or highly effective under the local teacher professional review
56.36 cycle and work in a hard-to-fill position or in a hard-to-staff school such as a school with

57.1 a majority of students whose families meet federal poverty guidelines, a geographically
 57.2 isolated school, or a school identified by the state as eligible for targeted programs or
 57.3 services for its students;

57.4 (2) include incentives for teachers to obtain a master's degree or other advanced
 57.5 certification in their content field of licensure, pursue the training or education necessary
 57.6 to obtain an additional licensure in shortage areas identified by the district or charter
 57.7 school, or help fund a "grow your own" new teacher initiative; and

57.8 (3) be structured around teacher-powered site-governed schools allowed under
 57.9 section 123B.045.

57.10 **EFFECTIVE DATE.** This section is effective the day following final enactment
 57.11 and applies to agreements approved or renegotiated after that date.

57.12 Sec. 33. Minnesota Statutes 2014, section 122A.60, is amended to read:

57.13 **122A.60 STAFF DEVELOPMENT PROGRAM.**

57.14 Subdivision 1. **Staff development committee.** (a) A school board must use the
 57.15 revenue authorized in section 122A.61 for ~~in-service education for programs under section~~
 57.16 ~~120B.22, subdivision 2, or for staff development:~~

57.17 (1) teacher development and evaluation plans under this section 122A.40,
 57.18 subdivision 8, or 122A.41, subdivision 5;

57.19 (2) principal development and evaluation under section 123B.147, subdivision 3;

57.20 (3) in-service education programs under section 120B.22, subdivision 2; and

57.21 (4) other staff development needs.

57.22 (b) The board must establish an advisory staff development committee to develop
 57.23 the plan, assist site professional development teams in developing a site plan consistent
 57.24 with the goals of the plan, and evaluate staff development efforts at the site level. A
 57.25 majority of the advisory committee and the site professional development team must be
 57.26 teachers representing various grade levels, subject areas, and special education. The
 57.27 advisory committee must also include nonteaching staff, parents, and administrators.

57.28 Subd. 1a. **Effective staff development activities.** (a) Staff development activities
 57.29 must:

57.30 (1) focus on the school classroom and research-based strategies that improve student
 57.31 learning;

57.32 (2) provide opportunities for teachers to practice and improve their instructional
 57.33 skills over time;

58.1 (3) provide opportunities for teachers to use student data as part of their daily work
58.2 to increase student achievement;

58.3 (4) enhance teacher content knowledge and instructional skills, including to
58.4 accommodate the delivery of digital and blended learning and curriculum and engage
58.5 students with technology;

58.6 (5) align with state and local academic standards;

58.7 (6) provide opportunities to build professional relationships, foster collaboration
58.8 among principals and staff who provide instruction, and provide opportunities for
58.9 teacher-to-teacher mentoring;

58.10 (7) align with the plan of the district or site for an alternative teacher professional
58.11 pay system;

58.12 (8) provide teachers of English learners, including English as a second language and
58.13 content teachers, with differentiated instructional strategies critical for ensuring students'
58.14 long-term academic success; the means to effectively use assessment data on the academic
58.15 literacy, oral academic language, and English language development of English learners;
58.16 and skills to support native and English language development across the curriculum; and

58.17 (9) provide opportunities for staff to learn about current workforce trends, the
58.18 connections between workforce trends and postsecondary education, and training options,
58.19 including career and technical education options.

58.20 Staff development activities may include curriculum development and curriculum training
58.21 programs, and activities that provide teachers and other members of site-based teams
58.22 training to enhance team performance. The school district also may implement other
58.23 staff development activities required by law and activities associated with professional
58.24 teacher compensation models.

58.25 (b) Release time provided for teachers to supervise students on field trips and school
58.26 activities, or independent tasks not associated with enhancing the teacher's knowledge
58.27 and instructional skills, such as preparing report cards, calculating grades, or organizing
58.28 classroom materials, may not be counted as staff development time that is financed with
58.29 staff development reserved revenue under section 122A.61.

58.30 Subd. 2. **Contents of plan.** The plan must include the staff development outcomes
58.31 under section 122A.40, subdivision 8, or 122A.41, subdivision 5, and section 123B.147,
58.32 subdivision 3, the means to achieve the outcomes, and procedures for evaluating progress
58.33 at each school site toward meeting education and staff development outcomes, consistent
58.34 with relicensure requirements under section 122A.18, subdivision 4. The plan also must:

58.35 (1) support stable and productive professional communities achieved through
58.36 ongoing and schoolwide progress and growth in teaching practice;

59.1 (2) emphasize coaching, professional learning communities, classroom action
59.2 research, and other job-embedded models;

59.3 (3) maintain a strong subject matter focus premised on students' learning goals,
59.4 consistent with section 120B.125;

59.5 (4) ensure specialized preparation and learning about issues related to teaching
59.6 English learners and students with special needs by focusing on long-term systemic efforts
59.7 to improve educational services and opportunities and raise student achievement; and

59.8 (5) reinforce national and state standards of effective teaching practice.

59.9 Subd. 3. **Staff development outcomes.** The advisory staff development committee
59.10 must adopt a staff development plan, consistent with section 122A.40, subdivision 8, or
59.11 122A.41, subdivision 5, for developing and evaluating teachers and for improving student
59.12 achievement outcomes and with section 123B.147, subdivision 3, for strengthening
59.13 principals' capacity in areas of instruction, supervision, evaluation, and teacher
59.14 development. The plan must be consistent with education outcomes that the school board
59.15 determines. The plan must include ongoing staff development activities that contribute
59.16 toward continuous improvement in ~~achievement of~~ achieving the following goals:

59.17 (1) improve student achievement of state and local education standards in all areas of
59.18 the curriculum, including areas of regular academic and applied and experiential learning,
59.19 by using research-based best practices methods;

59.20 (2) effectively meet the needs of a diverse student population, including at-risk
59.21 children, children with disabilities, English learners, and gifted children, within the regular
59.22 classroom, applied and experiential learning settings, and other settings;

59.23 (3) provide an inclusive curriculum for a racially, ethnically, linguistically, and
59.24 culturally diverse student population that is consistent with the state education diversity
59.25 rule and the district's education diversity plan;

59.26 (4) improve staff collaboration and develop mentoring and peer coaching programs
59.27 for teachers new to the school or district;

59.28 (5) effectively teach and model violence prevention policy and curriculum that
59.29 address early intervention alternatives, issues of harassment, and teach nonviolent
59.30 alternatives for conflict resolution;

59.31 (6) effectively deliver digital and blended learning and curriculum and engage
59.32 students with technology; and

59.33 (7) provide teachers and other members of site-based management teams with
59.34 appropriate management and financial management skills.

59.35 Subd. 4. **Staff development report.** (a) By October 15 of each year, the district and
59.36 site staff development committees shall write and submit a report of staff development

60.1 activities and expenditures for the previous year, in the form and manner determined by
 60.2 the commissioner. The report, signed by the district superintendent and staff development
 60.3 chair, must include assessment and evaluation data indicating progress toward district and
 60.4 site staff development goals based on teaching and learning outcomes, including the
 60.5 percentage of teachers and other staff involved in instruction who participate in effective
 60.6 staff development activities under subdivision 3.

60.7 (b) The report must break down expenditures for:

60.8 (1) curriculum development and curriculum training programs; and

60.9 (2) staff development training models, workshops, and conferences, and the cost of
 60.10 releasing teachers or providing substitute teachers for staff development purposes.

60.11 The report also must indicate whether the expenditures were incurred at the district
 60.12 level or the school site level, and whether the school site expenditures were made possible
 60.13 by grants to school sites that demonstrate exemplary use of allocated staff development
 60.14 revenue. These expenditures must be reported using the uniform financial and accounting
 60.15 and reporting standards.

60.16 (c) The commissioner shall report the staff development progress and expenditure
 60.17 data to the house of representatives and senate committees having jurisdiction over
 60.18 education by February 15 each year.

60.19 **EFFECTIVE DATE.** This section is effective for the 2016-2017 school year and
 60.20 later.

60.21 Sec. 34. Minnesota Statutes 2014, section 122A.61, subdivision 1, is amended to read:

60.22 Subdivision 1. **Staff development revenue.** A district is required to reserve
 60.23 an amount equal to at least two percent of the basic revenue under section 126C.10,
 60.24 subdivision 2, for:

60.25 (1) teacher development and evaluation under sections 122A.40, subdivision 8, or
 60.26 122A.41, subdivision 5;

60.27 (2) principal development and evaluation under section 123B.147, subdivision 3;

60.28 (3) professional development under section 122A.60; and

60.29 (4) in-service education for programs under section 120B.22, subdivision 2;

60.30 To the extent extra funds remain, staff development revenue may be used for
 60.31 staff development plans, including plans for challenging instructional activities and
 60.32 experiences under section 122A.60, and for curriculum development and programs,
 60.33 other in-service education, teachers' mentoring under section 122A.70 and evaluation,
 60.34 teachers' workshops, teacher conferences, the cost of substitute teachers staff development
 60.35 purposes, preservice and in-service education for special education professionals and

61.1 paraprofessionals, and other related costs for staff development efforts. A district may
 61.2 annually waive the requirement to reserve their basic revenue under this section if a
 61.3 majority vote of the licensed teachers in the district and a majority vote of the school board
 61.4 agree to a resolution to waive the requirement. A district in statutory operating debt is
 61.5 exempt from reserving basic revenue according to this section. Districts may expend an
 61.6 additional amount of unreserved revenue for staff development based on their needs.

61.7 **EFFECTIVE DATE.** This section is effective for the 2016-2017 school year and
 61.8 later.

61.9 Sec. 35. Minnesota Statutes 2014, section 122A.69, is amended to read:

61.10 **122A.69 PRACTICE OR STUDENT TEACHERS.**

61.11 The Board of Teaching may, by agreements with teacher ~~preparing~~ preparation
 61.12 institutions, arrange for classroom experience in the district for practice or student
 61.13 teachers who have completed ~~not less than~~ at least two years of an approved teacher
 61.14 ~~education~~ preparation program. Such practice and student teachers must be ~~provided with~~
 61.15 ~~appropriate supervision~~ appropriately supervised by a fully qualified teacher under rules
 61.16 ~~promulgated~~ adopted by the board. A practice or student teacher must be placed with a
 61.17 cooperating licensed teacher who has at least three years of teaching experience and is
 61.18 not in the improvement process under section 122A.40, subdivision 8, paragraph (b),
 61.19 clause (12), or 122A.41, subdivision 5, paragraph (b), clause (12). Practice and student
 61.20 teachers are ~~deemed~~ employees of the school district in which they are rendering services
 61.21 for purposes of workers' compensation; liability insurance, if provided for other district
 61.22 employees ~~in accordance with~~ under section 123B.23; and legal counsel ~~in accordance~~
 61.23 ~~with the provisions of~~ under section 123B.25.

61.24 **EFFECTIVE DATE.** This section is effective for the 2015-2016 school year and
 61.25 later.

61.26 Sec. 36. Minnesota Statutes 2014, section 122A.70, subdivision 1, is amended to read:

61.27 Subdivision 1. **Teacher mentoring programs.** (a) School districts are encouraged
 61.28 ~~to~~ may develop ~~teacher mentoring and implement~~ programs for mentoring teachers new
 61.29 to the profession or district, ~~including~~ and may, at a minimum, include in the mentoring
 61.30 program teaching residents, teachers of color, teachers with special needs, ~~or~~ and
 61.31 experienced teachers under section 122A.40, subdivision 8, paragraph (b), clause (12), or
 61.32 122A.41, subdivision 5, paragraph (b), clause (12), in need of peer coaching.

62.1 (b) Teacher mentoring programs must support districts' teacher evaluation and
 62.2 peer review processes under section 122A.40, subdivision 8, or 122A.41, subdivision
 62.3 5. A district may use staff development revenue under sections 122A.60 and 122A.61
 62.4 or another funding source, including achievement gap elimination revenue, alternative
 62.5 teacher pay, or compensatory revenue, to pay a stipend to a mentor who may be a district
 62.6 employee or a third-party contractor.

62.7 Sec. 37. Minnesota Statutes 2014, section 123A.75, subdivision 1, is amended to read:

62.8 Subdivision 1. **Teacher assignment.** (a) As of the effective date of a consolidation
 62.9 in which a district is divided or the dissolution of a district and its attachment to two or
 62.10 more existing districts, each teacher employed by an affected district shall be assigned to
 62.11 the newly created or enlarged district on the basis of a ratio of the pupils assigned to each
 62.12 district according to the new district boundaries. The district receiving the greatest number
 62.13 of pupils must be assigned the most effective teacher under section 122A.40, subdivision 8,
 62.14 with the greatest seniority, and the remaining teachers must be alternately assigned to each
 62.15 district from most to least effective and with most to least seniority within each category or
 62.16 rating of effectiveness until the district receiving the fewest pupils has received its ratio of
 62.17 teachers who will not be retiring before the effective date of the consolidation or dissolution.

62.18 (b) Notwithstanding paragraph (a), the board and the exclusive representative of
 62.19 teachers in each district involved in the consolidation or dissolution and attachment may
 62.20 negotiate a plan for assigning teachers to each newly created or enlarged district.

62.21 (c) Notwithstanding any other law to the contrary, the provisions of this section apply
 62.22 only to the extent they are consistent with section 122A.40, subdivisions 8, 10, and 11.

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

62.24 Sec. 38. Minnesota Statutes 2014, section 123B.045, is amended to read:

62.25 **123B.045 DISTRICT-CREATED SITE-GOVERNED, TEACHER-POWERED**
 62.26 **SCHOOLS.**

62.27 Subdivision 1. **Authority.** (a) A school board may approve site-governed,
 62.28 teacher-powered schools under this section by requesting site-governing, teacher-powered
 62.29 school proposals. The request for proposals must include what types of schools or
 62.30 education innovations the board intends to create. A current site may submit a proposal to
 62.31 create a different model for the site if 60 percent or more of the teachers at the site support
 62.32 the proposal. A group of licensed district professionals from one or multiple district
 62.33 sites may submit a proposal. The group submitting the proposal must include parents or

63.1 other community members in the development of the proposal. A proposal may request
63.2 approval for a model of a school not included in the request for proposal of the board.

63.3 (b) The school board and the applicable bargaining unit representing district
63.4 employees must enter into memoranda of understanding specifying how applicable
63.5 sections of current contracts will enable the provisions of subdivision 2, paragraph (a),
63.6 clauses (7) and (8), to be implemented.

63.7 (c) Within 60 days of receipt of the application, the school board shall determine
63.8 whether to approve, deny, or return the application to the applicants for further information
63.9 or development.

63.10 (d) Upon approval of the proposal, an agreement between the district and the site
63.11 council shall be developed identifying the powers and duties delegated to the site and
63.12 outlining the details of the proposal including the provisions of subdivisions 2, 3, and
63.13 5. Any powers or duties not specifically delegated to the school site in the agreement
63.14 remains with the school board.

63.15 Subd. 2. **Roles and responsibilities of site-governed, teacher-powered schools.**

63.16 (a) Site-governed, teacher-powered schools approved by the school board have the
63.17 following autonomy and responsibilities at the discretion of the site:

63.18 (1) to create the site-governing, teacher-powered council of the school. The council
63.19 shall include teachers, administrators, parents, students if appropriate, community
63.20 members, and other representatives of the community as determined by the site-governing,
63.21 teacher-powered council. Teachers may comprise a majority of the site-governing,
63.22 teacher-powered council at the option of a majority of the teachers at the site. The number
63.23 of members on the site-governing, teacher-powered council and the composition shall be
63.24 included in the proposal approved by the school board;

63.25 (2) to determine the leadership model for the site including: selecting a principal,
63.26 operating as a teacher professional practices model with school leadership functions
63.27 performed by one or more teachers or administrators at the school or other model
63.28 determined by the site;

63.29 (3) to determine the budget for the site and the allocation and expenditure of the
63.30 revenue based on provisions of subdivision 3;

63.31 (4) to determine the learning model and organization of the school consistent with
63.32 the application approved by the school board;

63.33 (5) to select and develop its curriculum and determine formative and summative
63.34 assessment practices;

63.35 (6) to set policies for the site including student promotion, attendance, discipline,
63.36 graduation requirements which may exceed the school board standards, and other such

64.1 rules as approved by the school board consistent with the mission, goals, and learning
64.2 program of the school site;

64.3 (7) to determine the length of the school day and year and employee work rules
64.4 covered by the terms and conditions of the employment contract;

64.5 (8) to select teachers and other staff consistent with current law and collective
64.6 bargaining agreements and memoranda of understanding provided for in subdivision 1,
64.7 paragraph (b). At least 70 percent of the teachers must be selected by the site prior to final
64.8 approval of the agreement. Prior to requesting the district to employ staff not currently
64.9 employed by the district, the site must first select current district staff including those on
64.10 requested and unrequested leave as provided for in sections 122A.40 and 122A.41. The
64.11 school board shall be the legal employer of all staff at the site and all teachers and other
64.12 staff members of the applicable bargaining units. Teachers and other employees may be
64.13 required to sign an individual work agreement with the site-governing, teacher-powered
64.14 council committing themselves to the mission and learning program of the school and the
64.15 requirements of the site-governing, teacher-powered council; and

64.16 (9) to fulfill other provisions as agreed to by the district and site-governing,
64.17 teacher-powered council.

64.18 (b) If a self-governed, teacher-powered school created under this section is
64.19 supervised by a principal, that principal must be licensed, consistent with section
64.20 123B.147, subdivision 2.

64.21 Subd. 3. **Revenue to self-governed school.** (a) The revenue that shall be allocated
64.22 by the site includes the general education revenue generated by the students at the site from
64.23 state, local, and private sources, referendum revenue, federal revenue from the Elementary
64.24 and Secondary Education Act, Individuals with Disabilities Education Act, Carl Perkins
64.25 Act, and other federal programs as agreed to by the school board and site council.

64.26 (b) The district may retain an administrative fee for managing the federal
64.27 programs, private revenues, and general administrative functions including school board,
64.28 superintendent, district legal counsel, finance, accountability and self-governed school
64.29 contract oversight, facilities maintenance, districtwide special education programs, and
64.30 other such services as agreed to by the site and school board. The administrative fee
64.31 shall be included in the agreement.

64.32 (c) As part of the agreement, the district may provide specific services for the site
64.33 and may specify the amount to be paid for each service and retain the revenues for that
64.34 amount. The formula or procedures for determining the amount of revenue to be allocated
64.35 to the site each year shall be consistent with this subdivision and incorporated in the site
64.36 budget annually following a timeline and process that is included in the agreement with

65.1 the school board. The site is responsible for allocating revenue for all staff at the site and
 65.2 for the other provisions of the agreement with the district board.

65.3 (d) All unspent revenue shall be carried over to following years for the sole use
 65.4 of the site.

65.5 Subd. 4. **Exemption from statutes and rules.** Except as outlined in this section,
 65.6 site-governed, teacher-powered schools established under this section are exempt from
 65.7 and subject to the same laws and rules as are chartered schools under section 124D.10,
 65.8 except that the schools shall be subject to chapters 13, 13D, and 179A, and sections
 65.9 122A.40, 122A.41, 122A.50, and 122A.51.

65.10 Subd. 5. **Performance standards.** (a) The school board and the site council shall
 65.11 include in the agreement performance standards and expectations that shall include at
 65.12 least the following:

65.13 (1) student achievement targets on multiple indicators including either a growth
 65.14 model or value-added growth model;

65.15 (2) the criteria and process to be followed if it is determined that the site failed
 65.16 to comply with district oversight and accountability requirements as outlined in the
 65.17 agreement; and

65.18 (3) other performance provisions as agreed to.

65.19 (b) All agreements shall be filed with the commissioner. The initial agreement shall
 65.20 be for up to three years, shall be reviewed annually, and may be renewed by the district
 65.21 board for additional terms of up to five years based on the performance of the school.

65.22 Subd. 6. **Board termination of self-governed, teacher-powered school authority.**

65.23 (a) The district board may terminate the agreement for one or more of the following reasons:

65.24 (1) failure of the site to meet the provisions specified in the agreement in subdivision
 65.25 5;

65.26 (2) violations of law; or

65.27 (3) other good cause shown.

65.28 (b) Site-governed, teacher-powered schools that are terminated or not renewed for
 65.29 reasons other than cause may request to convert to charter school status as provided for in
 65.30 section 124D.10 and, if chartered by the board, shall become the owner of all materials,
 65.31 supplies, and equipment purchased during the period the school was a site-governed,
 65.32 teacher-powered school.

65.33 Sec. 39. Minnesota Statutes 2014, section 124D.09, subdivision 5, is amended to read:

65.34 Subd. 5. **Authorization; notification.** Notwithstanding any other law to the
 65.35 contrary, an 11th or 12th grade pupil enrolled in a school or an American Indian-controlled

66.1 tribal contract or grant school eligible for aid under section 124D.83, except a foreign
66.2 exchange pupil enrolled in a district under a cultural exchange program, may apply to an
66.3 eligible institution, as defined in subdivision 3, to enroll in nonsectarian courses offered by
66.4 that postsecondary institution. Notwithstanding any other law to the contrary, a 9th or 10th
66.5 grade pupil enrolled in a district or an American Indian-controlled tribal contract or grant
66.6 school eligible for aid under section 124D.83, except a foreign exchange pupil enrolled in
66.7 a district under a cultural exchange program, may apply to enroll in nonsectarian courses
66.8 offered under subdivision 10, if (1) after all 11th and 12th grade students have applied
66.9 for a course, additional students are necessary to offer the course and the school district
66.10 and the eligible postsecondary institution providing the course agree to the student's
66.11 enrollment or (2) the course is a world language course currently available to 11th and
66.12 12th grade students, and consistent with section 120B.022 governing world language
66.13 standards, certificates, and seals. If an institution accepts a secondary pupil for enrollment
66.14 under this section, the institution shall send written notice to the pupil, the pupil's school
66.15 or school district, and the commissioner within ten days of acceptance. The notice must
66.16 indicate the course and hours of enrollment of that pupil. If the pupil enrolls in a course for
66.17 postsecondary credit, the institution must notify the pupil about payment in the customary
66.18 manner used by the institution.

66.19 Sec. 40. Minnesota Statutes 2014, section 124D.09, subdivision 5a, is amended to read:

66.20 Subd. 5a. **Authorization; career or technical education.** A 10th, 11th, or 12th
66.21 grade pupil enrolled in a district or an American Indian-controlled tribal contract or grant
66.22 school eligible for aid under section 124D.83, except a foreign exchange pupil enrolled in
66.23 a district under a cultural exchange program, may enroll in a career or technical education
66.24 course offered by a Minnesota state college or university. A 10th grade pupil applying
66.25 for enrollment in a career or technical education course under this subdivision must have
66.26 received a passing score on the 8th grade Minnesota Comprehensive Assessment in
66.27 reading as a condition of enrollment. A current 10th grade pupil who did not take the 8th
66.28 grade Minnesota Comprehensive Assessment in reading may substitute another reading
66.29 assessment accepted by the enrolling postsecondary institution. A secondary pupil may
66.30 enroll in the pupil's first postsecondary options enrollment course under this subdivision.
66.31 A student who is refused enrollment by a Minnesota state college or university under this
66.32 subdivision may apply to an eligible institution offering a career or technical education
66.33 course. The postsecondary institution must give priority to its students according to
66.34 subdivision 9. If a secondary student receives a grade of "C" or better in the career or
66.35 technical education course taken under this subdivision, the postsecondary institution

67.1 must allow the student to take additional postsecondary courses for secondary credit at
67.2 that institution, not to exceed the limits in subdivision 8. A "career or technical course" is
67.3 a course that is part of a career and technical education program that provides individuals
67.4 with coherent, rigorous content aligned with academic standards and relevant technical
67.5 knowledge and skills needed to prepare for further education and careers in current and
67.6 emerging professions and provide technical skill proficiency, an industry recognized
67.7 credential, and a certificate, a diploma, or an associate degree.

67.8 Sec. 41. Minnesota Statutes 2014, section 124D.09, subdivision 8, is amended to read:

67.9 Subd. 8. **Limit on participation.** A pupil who first enrolls in grade 9 may not
67.10 enroll in postsecondary courses under this section for secondary credit for more than
67.11 the equivalent of four academic years. A pupil who first enrolls in grade 10 may not
67.12 enroll in postsecondary courses under this section for secondary credit for more than
67.13 the equivalent of three academic years. A pupil who first enrolls in grade 11 may not
67.14 enroll in postsecondary courses under this section for secondary credit for more than the
67.15 equivalent of two academic years. A pupil who first enrolls in grade 12 may not enroll in
67.16 postsecondary courses under this section for secondary credit for more than the equivalent
67.17 of one academic year. If a pupil in grade 9, 10, 11, or 12 first enrolls in a postsecondary
67.18 course for secondary credit during the school year, the time of participation shall be
67.19 reduced proportionately. If a pupil is in a learning year or other year-round program and
67.20 begins each grade in the summer session, summer sessions shall not be counted against
67.21 the time of participation. If a school district determines a pupil is not on track to graduate,
67.22 the limit on participation does not apply to that pupil. A pupil who has graduated from
67.23 high school cannot participate in a program under this section. A pupil who has completed
67.24 course requirements for graduation but who has not received a diploma may participate in
67.25 the program under this section.

67.26 Sec. 42. Minnesota Statutes 2014, section 124D.09, subdivision 9, is amended to read:

67.27 Subd. 9. **Enrollment priority.** (a) A postsecondary institution shall give priority to
67.28 its postsecondary students when enrolling 10th, 11th, and 12th grade pupils in its courses.
67.29 A postsecondary institution may provide information about its programs to a secondary
67.30 school or to a pupil or parent and it may advertise or otherwise recruit or solicit a secondary
67.31 pupil to enroll in its programs on educational and programmatic grounds only except,
67.32 notwithstanding other law to the contrary, and for the 2014-2015 through 2019-2020
67.33 school years only, an eligible postsecondary institution may advertise or otherwise recruit

68.1 ~~or solicit a secondary pupil residing in a school district with 700 students or more in grades~~
68.2 ~~10, 11, and 12, to enroll in its programs on educational, programmatic, or financial grounds.~~

68.3 (b) An institution must not enroll secondary pupils, for postsecondary enrollment
68.4 options purposes, in remedial, developmental, or other courses that are not college level
68.5 except when a student eligible to participate and enrolled in the graduation incentives
68.6 program under section 124D.68 enrolls full time in a middle or early college program. A
68.7 middle or early college program must be specifically designed to allow the student to earn
68.8 dual high school and college credit with a well-defined pathway to allow the student to earn
68.9 a postsecondary degree or credential. In this case, the student shall receive developmental
68.10 college credit and not college credit for completing remedial or developmental courses.

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

68.13 ~~(b)~~ (d) If a postsecondary institution enrolls a secondary school pupil in a course
68.14 under this section, the postsecondary institution also must enroll in the same course an
68.15 otherwise enrolled and qualified postsecondary student who qualifies as a veteran under
68.16 section 197.447, and demonstrates to the postsecondary institution's satisfaction that the
68.17 institution's established enrollment timelines were not practicable for that student.

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

68.19 Sec. 43. Minnesota Statutes 2014, section 124D.09, subdivision 12, is amended to read:

68.20 Subd. 12. **Credits.** A pupil must not audit a course under this section.

68.21 A district shall grant academic credit to a pupil enrolled in a course for secondary
68.22 credit if the pupil successfully completes the course. Seven quarter or four semester
68.23 college credits equal at least one full year of high school credit. Fewer college credits may
68.24 be prorated. A district must also grant academic credit to a pupil enrolled in a course for
68.25 postsecondary credit if secondary credit is requested by a pupil. If no comparable course is
68.26 offered by the district, the district must, as soon as possible, notify the commissioner, who
68.27 shall determine the number of credits that shall be granted to a pupil who successfully
68.28 completes a course. If a comparable course is offered by the district, the school board
68.29 shall grant a comparable number of credits to the pupil. If there is a dispute between the
68.30 district and the pupil regarding the number of credits granted for a particular course, the
68.31 pupil may appeal the board's decision to the commissioner. The commissioner's decision
68.32 regarding the number of credits shall be final.

68.33 The secondary credits granted to a pupil must be counted toward the graduation
68.34 requirements and subject area requirements of the district. Evidence of successful
68.35 completion of each course and secondary credits granted must be included in the pupil's

69.1 secondary school record. A pupil shall provide the school with a copy of the pupil's grade
69.2 in each course taken for secondary credit under this section. Upon the request of a pupil,
69.3 the pupil's secondary school record must also include evidence of successful completion
69.4 and credits granted for a course taken for postsecondary credit. In either case, the record
69.5 must indicate that the credits were earned at a postsecondary institution.

69.6 If a pupil enrolls in a postsecondary institution after leaving secondary school, the
69.7 postsecondary institution must award postsecondary credit for any course successfully
69.8 completed for secondary credit at that institution. Other postsecondary institutions may
69.9 award, after a pupil leaves secondary school, postsecondary credit for any courses
69.10 successfully completed under this section. An institution may not charge a pupil for
69.11 the award of credit.

69.12 The Board of Trustees of the Minnesota State Colleges and Universities and
69.13 the Board of Regents of the University of Minnesota must, and private nonprofit and
69.14 proprietary postsecondary institutions should, award postsecondary credit for any
69.15 successfully completed courses in a program certified by the National Alliance of
69.16 Concurrent Enrollment Partnerships offered according to an agreement under subdivision
69.17 10. Consistent with section 135A.101, subdivision 3, all MnSCU institutions must give
69.18 full credit to a secondary pupil who completes for postsecondary credit a postsecondary
69.19 course or program that is part or all of a goal area or a transfer curriculum at a MnSCU
69.20 institution when the pupil enrolls in a MnSCU institution after leaving secondary school.
69.21 Once one MnSCU institution certifies as completed a secondary student's postsecondary
69.22 course or program that is part or all of a goal area or a transfer curriculum, every MnSCU
69.23 institution must consider the student's course or program for that goal area or the transfer
69.24 curriculum as completed.

69.25 **EFFECTIVE DATE.** This section is effective for the 2015-2016 school year and
69.26 later.

69.27 Sec. 44. Minnesota Statutes 2014, section 124D.091, subdivision 1, is amended to read:

69.28 Subdivision 1. **Accreditation.** To establish a uniform standard by which
69.29 concurrent enrollment courses and professional development activities may be measured,
69.30 postsecondary institutions ~~are encouraged to apply for accreditation by~~ must adopt and
69.31 implement the National Alliance of Concurrent Enrollment ~~Partnership~~ Partnership's
69.32 program standards and required evidence for accreditation by the 2020-2021 school year
69.33 and later.

69.34 Sec. 45. Minnesota Statutes 2014, section 124D.73, subdivision 3, is amended to read:

70.1 Subd. 3. ~~Advisory task force~~ **Tribal Nations Education Committee.** "Advisory
70.2 ~~task force~~" "Tribal Nations Education Committee" means the state advisory task force
70.3 committee established through tribal directive that the commissioner consults with
70.4 on American Indian education programs, policy, and all matters related to educating
70.5 Minnesota's American Indian students.

70.6 Sec. 46. Minnesota Statutes 2014, section 124D.73, subdivision 4, is amended to read:

70.7 Subd. 4. **Participating school; American Indian school.** "Participating school"
70.8 and "American Indian school" mean a school that:

70.9 (1) is not operated by a school district; and

70.10 (2) is eligible for a grant under federal Title IV of the Indian VII of the Elementary
70.11 and Secondary Education Act for the education of American Indian children.

70.12 Sec. 47. Minnesota Statutes 2014, section 124D.74, subdivision 1, is amended to read:

70.13 Subdivision 1. **Program described.** American Indian education programs are
70.14 programs in public elementary and secondary schools, nonsectarian nonpublic, community,
70.15 tribal, charter, or alternative schools enrolling American Indian children designed to:

70.16 (1) support postsecondary preparation for pupils;

70.17 (2) support the academic achievement of American Indian students ~~with identified~~
70.18 ~~focus to improve reading and mathematic skills;~~

70.19 (3) make the curriculum ~~more~~ relevant to the needs, interests, and cultural heritage
70.20 of American Indian pupils;

70.21 (4) provide positive reinforcement of the self-image of American Indian pupils;

70.22 (5) develop intercultural awareness among pupils, parents, and staff; and

70.23 (6) supplement, not supplant, state and federal educational and cocurricular programs.

70.24 ~~Program components may include: development of support components for students in~~
70.25 ~~the areas of~~ services designed to increase completion and graduation rates of American

70.26 Indian students must emphasize academic achievement, retention, and attendance;

70.27 development of support ~~components~~ services for staff, including in-service training and

70.28 technical assistance in methods of teaching American Indian pupils; research projects,

70.29 including ~~experimentation with~~ innovative teaching approaches and evaluation of

70.30 methods of relating to American Indian pupils; provision of ~~personal and vocational~~

70.31 career counseling to American Indian pupils; modification of curriculum, instructional

70.32 methods, and administrative procedures to meet the needs of American Indian pupils; and

70.33 supplemental instruction in American Indian language, literature, history, and culture.

70.34 Districts offering programs may make contracts for the provision of program ~~components~~

71.1 services by establishing cooperative liaisons with tribal programs and American Indian
71.2 social service agencies. These programs may also be provided as components of early
71.3 childhood and family education programs.

71.4 Sec. 48. Minnesota Statutes 2014, section 124D.74, subdivision 3, is amended to read:

71.5 Subd. 3. **Enrollment of other children; shared time enrollment.** To the extent
71.6 it is economically feasible, a district or participating school may make provision for the
71.7 voluntary enrollment of non-American Indian children in the instructional components of
71.8 an American Indian education program in order that they may acquire an understanding of
71.9 the cultural heritage of the American Indian children for whom that particular program is
71.10 designed. However, in determining eligibility to participate in a program, priority must be
71.11 given to American Indian children. American Indian children and other children enrolled
71.12 in an existing nonpublic school system may be enrolled on a shared time basis in all
71.13 academic, targeted services, and American Indian education programs.

71.14 Sec. 49. Minnesota Statutes 2014, section 124D.74, subdivision 6, is amended to read:

71.15 Subd. 6. **Nonverbal courses and extracurricular activities.** In predominantly
71.16 nonverbal subjects, such as art, music, and physical education, American Indian children
71.17 shall participate fully and on an equal basis with their ~~contemporaries~~ peers in school
71.18 classes provided for these subjects. Every school district or participating school shall
71.19 ensure to children enrolled in American Indian education programs an equal and
71.20 meaningful opportunity to participate fully with other children in all extracurricular
71.21 activities. This subdivision shall not be construed to prohibit instruction in nonverbal
71.22 subjects or extracurricular activities which relate to the cultural heritage of the American
71.23 Indian children, or which are otherwise necessary to accomplish the objectives described
71.24 in sections 124D.71 to 124D.82.

71.25 Sec. 50. Minnesota Statutes 2014, section 124D.75, subdivision 1, is amended to read:

71.26 Subdivision 1. **American Indian language and culture education licenses.** The
71.27 Board of Teaching, in consultation with the Tribal Nations Education Committee, must
71.28 grant initial and continuing teaching licenses in American Indian language and culture
71.29 education that bear the same duration as other initial and continuing licenses. The board
71.30 must grant licenses to persons who present satisfactory evidence that they:

71.31 (1) possess competence in an American Indian language or possess unique
71.32 qualifications relative to or knowledge and understanding of American Indian history
71.33 and culture; or

72.1 (2) possess a bachelor's degree or other academic degree approved by the board or
 72.2 meet such requirements as to course of study and training as the board may prescribe, or
 72.3 possess such relevant experience as the board may prescribe.

72.4 This evidence may be presented by affidavits, tribal resolutions, or by such other
 72.5 methods as the board may prescribe. Individuals may present applications for licensure on
 72.6 their own behalf or these applications may be submitted by the superintendent or other
 72.7 authorized official of a school district, participating school, or an American Indian school.

72.8 Sec. 51. Minnesota Statutes 2014, section 124D.75, subdivision 3, is amended to read:

72.9 Subd. 3. **Resolution or letter.** All persons applying for a license under this section
 72.10 must submit to the board a resolution or letter of support signed by an American Indian
 72.11 tribal government ~~or its designee~~. All persons holding a license under this section ~~on July~~
 72.12 ~~1, 1995~~, must have on file or file with the board a resolution or letter of support signed by
 72.13 a tribal government ~~or its designee by January 1, 1996, or the next renewal date of the~~
 72.14 ~~license thereafter.~~

72.15 Sec. 52. Minnesota Statutes 2014, section 124D.75, subdivision 9, is amended to read:

72.16 Subd. 9. **Affirmative efforts in hiring.** In hiring for all positions in these programs,
 72.17 school districts and participating schools shall give preference to and make affirmative
 72.18 efforts to seek, recruit, and employ persons who share the culture of the American Indian
 72.19 children who are enrolled in the program. The district or participating school ~~shall~~ must
 72.20 provide procedures for the involvement of the parent advisory committees in ~~designing~~
 72.21 ~~the procedures for~~ the recruitment, screening and selection of applicants. This subdivision
 72.22 shall not be construed to limit the school board's authority to hire and discharge personnel.

72.23 Sec. 53. Minnesota Statutes 2014, section 124D.76, is amended to read:

72.24 **124D.76 TEACHERS-AIDES; COMMUNITY COORDINATORS, INDIAN**
 72.25 **HOME/SCHOOL LIAISONS, PARAPROFESSIONALS.**

72.26 In addition to employing American Indian language and culture education teachers,
 72.27 each district or participating school providing programs pursuant to sections 124D.71 to
 72.28 124D.82 may employ ~~teachers'-aides~~ paraprofessionals. ~~Teachers'-aides~~ Paraprofessionals
 72.29 must not be employed for the purpose of supplanting American Indian language and
 72.30 culture education teachers.

72.31 Any district or participating school which conducts American Indian education
 72.32 programs pursuant to sections 124D.71 to 124D.82 must employ one or more full-time
 72.33 or part-time community coordinators or Indian home/school liaisons if there are 100 or

73.1 more American Indian students enrolled in the ~~program~~ district. Community coordinators
 73.2 shall promote communication understanding, and cooperation between the schools and the
 73.3 community and shall visit the homes of children who are to be enrolled in an American
 73.4 Indian education program in order to convey information about the program.

73.5 Sec. 54. Minnesota Statutes 2014, section 124D.78, is amended to read:

73.6 **124D.78 PARENT AND COMMUNITY PARTICIPATION.**

73.7 Subdivision 1. **Parent committee.** School boards and American Indian schools
 73.8 must provide for the maximum involvement of parents of children enrolled in education
 73.9 programs, programs for elementary and secondary grades, special education programs,
 73.10 and support services. Accordingly, the board of a school district in which there are ten
 73.11 or more American Indian ~~children~~ students enrolled and each American Indian school
 73.12 must establish a an American Indian education parent advisory committee. If a committee
 73.13 whose membership consists of a majority of parents of American Indian children has been
 73.14 or is established according to federal, tribal, or other state law, that committee may serve
 73.15 as the committee required by this section and is subject to, at least, the requirements of
 73.16 this subdivision and subdivision 2.

73.17 The American Indian education parent advisory committee must develop its
 73.18 recommendations in consultation with the curriculum advisory committee required by
 73.19 section 120B.11, subdivision 3. This committee must afford parents the necessary
 73.20 information and the opportunity effectively to express their views concerning all aspects
 73.21 of American Indian education and the educational needs of the American Indian children
 73.22 enrolled in the school or program. ~~The committee must also address the need for adult~~
 73.23 ~~education programs for American Indian people in the community.~~ The school board or
 73.24 American Indian school must ensure that programs are planned, operated, and evaluated
 73.25 with the involvement of and in consultation with parents of ~~children~~ students served by
 73.26 the programs.

73.27 Subd. 2. **Resolution of concurrence.** Prior to ~~December~~ March 1, the school
 73.28 board or American Indian school must submit to the department a copy of a resolution
 73.29 adopted by the American Indian education parent advisory committee. The copy must be
 73.30 signed by the chair of the committee and must state whether the committee concurs with
 73.31 the educational programs for American Indian ~~children~~ students offered by the school
 73.32 board or American Indian school. If the committee does not concur with the educational
 73.33 programs, the reasons for nonconcurrence and recommendations shall be submitted with
 73.34 the resolution. By resolution, the board must respond in writing within 60 days, in cases

74.1 of nonconcurrency, to each recommendation made by the committee and state its reasons
74.2 for not implementing the recommendations.

74.3 Subd. 3. **Membership.** The American Indian education parent advisory committee
74.4 must be composed of parents of children eligible to be enrolled in American Indian
74.5 education programs; secondary students eligible to be served; American Indian language
74.6 and culture education teachers and aides paraprofessionals; American Indian teachers;
74.7 counselors; adult American Indian people enrolled in educational programs; and
74.8 representatives from community groups. A majority of each committee must be parents
74.9 of children enrolled or eligible to be enrolled in the programs. The number of parents
74.10 of American Indian and non-American Indian children shall reflect approximately the
74.11 proportion of children of those groups enrolled in the programs.

74.12 Subd. 4. **Alternate committee.** If the organizational membership or the board
74.13 of directors of an American Indian school consists of parents of children attending the
74.14 school, that membership or board may serve also as the American Indian education parent
74.15 advisory committee.

74.16 Sec. 55. Minnesota Statutes 2014, section 124D.79, subdivision 1, is amended to read:

74.17 Subdivision 1. **American Indian community involvement.** The commissioner
74.18 must provide for the maximum involvement of the ~~state committees on American Indian~~
74.19 ~~education~~ Tribal Nations Education Committee, parents of American Indian children,
74.20 secondary students eligible to be served, American Indian language and culture education
74.21 teachers, American Indian teachers, ~~teachers'~~ aides paraprofessionals, representatives of
74.22 community groups, and persons knowledgeable in the field of American Indian education,
74.23 in the formulation of policy and procedures relating to the administration of sections
74.24 124D.71 to 124D.82. The commissioner must annually hold a field hearing on Indian
74.25 education to gather input from American Indian educators, parents, and students on the
74.26 state of American Indian education in Minnesota. Results of the hearing must be made
74.27 available to all 11 tribal nations for review and comment.

74.28 Sec. 56. Minnesota Statutes 2014, section 124D.79, subdivision 2, is amended to read:

74.29 Subd. 2. **Technical assistance.** The commissioner shall provide technical assistance
74.30 to districts, schools and postsecondary institutions for preservice and in-service training
74.31 for teachers, American Indian education teachers and ~~teacher's aides~~, paraprofessionals
74.32 specifically designed to implement culturally responsive teaching methods, culturally
74.33 based curriculum development, testing and testing mechanisms, and the development of
74.34 materials for American Indian education programs.

- 75.1 Sec. 57. Minnesota Statutes 2014, section 124D.791, subdivision 4, is amended to read:
- 75.2 Subd. 4. **Duties; powers.** The Indian education director shall:
- 75.3 (1) serve as the liaison for the department with the Tribal Nations Education
- 75.4 Committee, the 11 ~~reservations~~ tribal communities in Minnesota, the Minnesota Chippewa
- 75.5 tribe, and the Minnesota Indian Affairs Council, ~~and the Urban Advisory Council~~;
- 75.6 (2) evaluate the state of American Indian education in Minnesota;
- 75.7 (3) engage the tribal bodies, community groups, parents of children eligible to be
- 75.8 served by American Indian education programs, American Indian administrators and
- 75.9 teachers, persons experienced in the training of teachers for American Indian education
- 75.10 programs, the tribally controlled schools, and other persons knowledgeable in the field of
- 75.11 American Indian education and seek their advice on policies that can improve the quality
- 75.12 of American Indian education;
- 75.13 (4) advise the commissioner on American Indian education issues, including:
- 75.14 (i) issues facing American Indian students;
- 75.15 (ii) policies for American Indian education;
- 75.16 (iii) awarding scholarships to eligible American Indian students and in administering
- 75.17 the commissioner's duties regarding awarding of American Indian ~~postsecondary~~
- 75.18 preparation education grants to school districts; and
- 75.19 (iv) administration of the commissioner's duties under sections 124D.71 to 124D.82
- 75.20 and other programs for the education of American Indian people;
- 75.21 (5) propose to the commissioner legislative changes that will improve the quality
- 75.22 of American Indian education;
- 75.23 (6) develop a strategic plan and a long-term framework for American Indian
- 75.24 education, in conjunction with the Minnesota Indian Affairs Council, that is updated every
- 75.25 five years and implemented by the commissioner, with goals to:
- 75.26 (i) increase American Indian student achievement, including increased levels of
- 75.27 proficiency and growth on statewide accountability assessments;
- 75.28 (ii) increase the number of American Indian teachers in public schools;
- 75.29 (iii) close the achievement gap between American Indian students and their more
- 75.30 advantaged peers;
- 75.31 (iv) increase the statewide graduation rate for American Indian students; and
- 75.32 (v) increase American Indian student placement in postsecondary programs and
- 75.33 the workforce; and
- 75.34 (7) keep the American Indian community informed about the work of the department
- 75.35 by reporting to the Tribal Nations Education Committee at each committee meeting.

76.1 Sec. 58. Minnesota Statutes 2014, section 124D.861, is amended to read:

76.2 **124D.861 ACHIEVEMENT AND INTEGRATION FOR MINNESOTA.**

76.3 Subdivision 1. **Program to close the academic achievement and opportunity**
 76.4 **gap; revenue uses.** (a) The "Achievement and Integration for Minnesota " program is
 76.5 established to ~~pursue~~ improve academic achievement and promote racial and economic
 76.6 integration ~~and increase student academic achievement,~~ to create equitable educational
 76.7 opportunities and outcomes, and reduce academic disparities based on students' diverse
 76.8 racial, ethnic, and economic backgrounds in Minnesota public schools.

76.9 (b) For purposes of this section and section 124D.862, "eligible district" means a
 76.10 district required to submit a plan to the commissioner under Minnesota Rules governing
 76.11 school desegregation and integration, or be a member of a multidistrict integration
 76.12 collaborative that files a plan with the commissioner and "hard to staff" classroom or
 76.13 school means a classroom or school designated as such by the school board because of the
 76.14 difficulty of attracting or retaining qualified and effective teachers at that site.

76.15 (c) Eligible districts must use the revenue aid under section 124D.862 to ~~pursue~~
 76.16 improve the academic achievement and racial and economic integration through: (1)
 76.17 integrated learning environments that prepare ~~of~~ all students ~~to be effective citizens and~~
 76.18 ~~enhance social cohesion;~~ (2) ~~policies and curricula and trained instructors, administrators,~~
 76.19 ~~school counselors, and other advocates to support and enhance integrated learning~~
 76.20 ~~environments under this section, including through magnet schools, innovative,~~
 76.21 ~~research-based instruction, differentiated instruction, and targeted interventions to improve~~
 76.22 ~~achievement; and (3) rigorous career and college readiness programs for underserved~~
 76.23 ~~student populations, consistent with section 120B.30, subdivision 1; integrated learning~~
 76.24 ~~environments to increase student academic achievement; cultural fluency, competency,~~
 76.25 ~~and interaction; graduation and educational attainment rates; and parent involvement.~~ and
 76.26 eliminate disparities in academic achievement among student subgroups through:

76.27 (1) school choice programs, innovative academic instruction, and best teaching
 76.28 practices;

76.29 (2) opportunity programs proven to increase students' access to academic rigor and
 76.30 focused on college and career readiness;

76.31 (3) family engagement programs that promote involvement in students' academic
 76.32 life and success;

76.33 (4) extended day and extended week programs;

76.34 (5) summer school academies;

76.35 (6) before and after school academic programs;

76.36 (7) prekindergarten or other early learning programs; and

77.1 (8) other programs proven through data to improve students' academic achievement.

77.2 (d) Eligible districts may use the levy under section 124D.862 to promote racial
77.3 and academic integration through:

77.4 (1) integrated learning environments that prepare all students to be effective citizens
77.5 and enhance social cohesion, cultural fluency, competency, and interaction;

77.6 (2) policies, curricula, and trained instructors, administrators, school counselors,
77.7 and other advocates to support and enhance integrated learning environments under this
77.8 section, including, but not limited to, through magnet schools, before and after school
77.9 programming, and summer activities and academies; or

77.10 (3) other locally developed, innovative programs or opportunities.

77.11 (e) Eligible districts may use the aid and the levy under section 124D.862 to increase
77.12 teacher and administrator diversity through recruitment and retention policies and to
77.13 provide incentives for teachers to teach in hard-to-staff schools or classrooms.

77.14 Notwithstanding any law to the contrary, a cash incentive may be paid directly to a teacher
77.15 teaching in a hard-to-staff school or classroom.

77.16 Subd. 2. **Plan implementation; components.** (a) The school board of each
77.17 eligible district must formally develop and implement a ~~long-term~~ comprehensive plan
77.18 under this section consistent with subdivision 1, containing specific district and school
77.19 goals for eliminating the disparities in students' academic achievement and promoting
77.20 students' academic success. The plan ~~must~~ may be incorporated into the district's
77.21 comprehensive strategic plan under section 120B.11 and may include students enrolled
77.22 in alternative learning centers under section 126C.05, subdivision 15, and contract
77.23 alternative programs under section 124D.69. ~~Plan components may include: innovative~~
77.24 ~~and integrated prekindergarten through grade 12 learning environments that offer students~~
77.25 ~~school enrollment choices; family engagement initiatives that involve families in their~~
77.26 ~~students' academic life and success; professional development opportunities for teachers~~
77.27 ~~and administrators focused on improving the academic achievement of all students;~~
77.28 ~~increased programmatic opportunities focused on rigor and college and career readiness~~
77.29 ~~for underserved students, including students enrolled in alternative learning centers under~~
77.30 ~~section 123A.05, public alternative programs under section 126C.05, subdivision 15, and~~
77.31 ~~contract alternative programs under section 124D.69, among other underserved students;~~
77.32 ~~or recruitment and retention of teachers and administrators with diverse racial and ethnic~~
77.33 ~~backgrounds. The plan must contain goals for: (1) reducing the disparities in academic~~
77.34 ~~achievement among all students and specific categories of students under section 120B.35,~~
77.35 ~~subdivision 3, paragraph (b), excluding the student categories of gender, disability, and~~
77.36 ~~English learners; and (2) increasing racial and economic integration in schools and~~

78.1 ~~districts~~ The board may also develop and implement an integration plan to increase racial
 78.2 and economic integration in schools and districts.

78.3 (b) Among other requirements, an eligible district must implement effective
 78.4 cost-effective, research-based interventions that include formative assessment practices
 78.5 to ~~reduce~~ eliminate the disparities in student academic ~~performance among the specific~~
 78.6 achievement between the highest and lowest performing racial and ethnic categories of
 78.7 students as measured by student ~~progress and growth~~ demonstration of proficiency and
 78.8 growth on state reading and math assessments and as aligned with section 120B.11.

78.9 (c) Eligible districts ~~must create~~ may collaborate in creating efficiencies and
 78.10 eliminate eliminating duplicative programs and services under this section, ~~which~~
 78.11 ~~may include forming collaborations or a single, seven-county metropolitan areawide~~
 78.12 ~~partnership of eligible districts for this purpose.~~

78.13 Subd. 3. **Public engagement; ~~progress report and biennial report; budget~~**
 78.14 **process.** (a) To receive revenue aid under section 124D.862, the school board of an
 78.15 eligible district must ~~incorporate school and district plan components under section~~
 78.16 ~~120B.11 into the district's comprehensive integration plan.~~

78.17 (b) ~~A school board must~~ hold at least one formal annual hearing to publicly report its
 78.18 progress in realizing the goals identified in its plan. At the hearing, the board must provide
 78.19 the public with longitudinal data demonstrating district and school progress in ~~reducing~~
 78.20 ~~the disparities in student~~ eliminating the academic ~~performance among the specified~~
 78.21 ~~categories of students and in realizing racial and economic integration~~ achievement
 78.22 gap, consistent with the district plan and the measures in paragraph (a) ~~(b)~~. At least 30
 78.23 days before the formal hearing under this paragraph, the board must post its plan, its
 78.24 preliminary analysis, relevant student performance data, and other longitudinal data on
 78.25 the district's Web site. A district must hold one hearing to meet the hearing requirements
 78.26 of both this section and section 120B.11. The board must also include in this hearing a
 78.27 discussion of its integration plan.

78.28 (e) ~~(b)~~ The district must submit a detailed budget to the commissioner by March
 78.29 15 in the year before it implements its achievement gap elimination plan. If a district
 78.30 develops an integration plan, the district must also submit a budget for its integration
 78.31 activities at the same time. The commissioner must review, and approve or disapprove the
 78.32 district's ~~budget~~ budgets by June 1 of that year.

78.33 (d) ~~(c)~~ The longitudinal data required under paragraph (a) must be based on student
 78.34 growth and progress in reading and mathematics, as defined under section 120B.30,
 78.35 subdivision 1, ~~and~~ student performance data and achievement reports from fully adaptive
 78.36 reading and mathematics assessments for grades 3 through 7 8, and high school reading

79.1 and math tests beginning in the 2015-2016 school year under section 120B.30, subdivision
 79.2 1a, and either (i) school enrollment choices, (ii) the number of world language proficiency
 79.3 or high achievement certificates awarded under section 120B.022, subdivision 1a, or
 79.4 the number of state bilingual and multilingual seals issued under section 120B.022,
 79.5 subdivision 1b, or (iii) school safety and students' engagement and connection at school
 79.6 under section 120B.35, subdivision 3, paragraph (d). ~~Additional longitudinal data may be~~
 79.7 ~~based on: students' progress toward career and college readiness under section 120B.30,~~
 79.8 ~~subdivision 1; or rigorous coursework completed under section 120B.35, subdivision 3,~~
 79.9 ~~paragraph (e), clause (2).~~

79.10 Subd. 4. **Timeline and implementation.** A board must approve its achievement
 79.11 gap elimination plan and submit it to the department by March 15. If a district that is part
 79.12 of a multidistrict council applies for revenue for a plan, the individual district shall not
 79.13 receive revenue aid unless it ratifies the plan adopted by the multidistrict council. Each
 79.14 plan has a term of three years. ~~For the 2014-2015 school year, an eligible district under~~
 79.15 ~~this section must submit its plan to the commissioner for review by March 15, 2014. For~~
 79.16 ~~the 2013-2014 school year only, an eligible district may continue to implement its current~~
 79.17 ~~plan until the commissioner approves a new plan under this section.~~

79.18 Subd. 5. **Evaluation.** The commissioner must evaluate the efficacy of district plans
 79.19 in ~~reducing~~ eliminating the disparities in student academic ~~performance~~ achievement
 79.20 among the specified categories of students within the district, and where applicable, in
 79.21 realizing racial and economic integration. The commissioner shall report evaluation
 79.22 results to the kindergarten through grade 12 education committees of the legislature by
 79.23 February 1 of every ~~odd-numbered~~ fourth year beginning February 1, 2017.

79.24 **EFFECTIVE DATE.** This section is effective for revenue for fiscal year 2016
 79.25 and later.

79.26 Sec. 59. Minnesota Statutes 2014, section 124D.862, is amended to read:

79.27 **124D.862 ACHIEVEMENT GAP ELIMINATION REVENUE AND**
 79.28 **INTEGRATION REVENUE LEVY.**

79.29 Subdivision 1. **Initial achievement and integration gap elimination revenue.** (a)
 79.30 An eligible district's initial achievement ~~and integration~~ gap elimination revenue equals
 79.31 the lesser of ~~100.3~~ 100.2 percent of the district's expenditures under the budget approved
 79.32 by the commissioner under section 124D.861, subdivision 3, paragraph (c), excluding
 79.33 expenditures used to generate incentive revenue under subdivision 2, or the sum of (1)
 79.34 \$350 times the district's adjusted pupil units for that year times the ratio of the district's

80.1 enrollment of protected students for the previous school year to total enrollment for the
80.2 previous school year and (2) the greater of zero or 66 percent of the difference between the
80.3 district's integration revenue for fiscal year 2013 and the district's integration revenue for
80.4 fiscal year 2014 under clause (1).

80.5 ~~(b) In each year, 0.3 percent of each district's initial achievement and integration~~
80.6 ~~revenue is transferred to the department for the oversight and accountability activities~~
80.7 ~~required under this section and section 124D.861.~~

80.8 Subd. 2. **Incentive revenue.** An eligible school district's maximum incentive
80.9 revenue equals \$10 per adjusted pupil unit. A district's incentive revenue equals the
80.10 lesser of the maximum incentive revenue or the district's expenditures for implementing a
80.11 voluntary plan to reduce racial and economic enrollment disparities through intradistrict
80.12 and interdistrict activities that have been approved as a part of the district's achievement
80.13 and integration plan under the budget approved by the commissioner under section
80.14 124D.861, subdivision 3, ~~paragraph (e).~~

80.15 Subd. 3. **Achievement and integration gap elimination revenue.** Achievement
80.16 ~~and integration gap elimination~~ revenue equals the sum of initial achievement ~~and~~
80.17 ~~integration gap elimination~~ revenue and incentive revenue.

80.18 Subd. 4. **Achievement and integration gap elimination aid.** ~~For fiscal year 2015~~
80.19 ~~and later,~~ A district's achievement ~~and integration gap elimination~~ aid equals the lesser of (1)
80.20 \$350 times the district's adjusted pupil units for that year; (2) 70 percent of its achievement
80.21 and integration gap elimination revenue; or (3) the district's actual expenditures under the
80.22 budget approved by the commissioner under section 124D.861, subdivision 3.

80.23 Subd. 5. **Achievement and Integration levy.** A district's achievement ~~and~~
80.24 integration levy equals the sum of: (1) 30 percent of its achievement and integration gap
80.25 elimination revenue times 30 percent under subdivision 3; and (2) the greater of zero or
80.26 the difference between the district's initial integration revenue under clause (1) and an
80.27 amount equal to \$350 times the district's adjusted pupil units for that year. For Special
80.28 School District No. 1, Minneapolis; Independent School District No. 625, St. Paul; and
80.29 Independent School District No. 709, Duluth, 100 percent of the levy certified under
80.30 this subdivision is shifted into the prior calendar year for purposes of sections 123B.75,
80.31 subdivision 5, and 127A.441.

80.32 Subd. 6. **Revenue uses.** (a) At least ~~80~~ 90 percent of a district's achievement ~~and~~
80.33 ~~integration revenue gap elimination aid~~ received under this section must be used for
80.34 ~~innovative and integrated learning environments, school enrollment choices, family~~
80.35 ~~engagement activities,~~ academic programming consistent with the plan under section

81.1 124D.861, subdivision 1, and other approved programs providing direct instructional
 81.2 services to students.

81.3 (b) Up to ~~20~~ five percent of the revenue aid may be used for professional
 81.4 development and staff development activities and placement services.

81.5 (c) No more than ~~ten~~ five percent of the total amount of revenue aid may be spent on
 81.6 administrative services.

81.7 Subd. 7. **Revenue reserved.** ~~Integration revenue~~ Achievement gap elimination aid
 81.8 received under this section must be reserved and used only for the programs authorized in
 81.9 subdivision 2 6. The integration levy under subdivision 5, clause (1), must be reserved
 81.10 and used only for the purposes of the district's integration plan adopted under section
 81.11 124D.861, subdivision 1.

81.12 Subd. 8. **Commissioner authority to withhold revenue.** (a) The commissioner
 81.13 must review the results of each district's ~~integration and achievement gap elimination~~
 81.14 plan by August 1 at the end of the third year of implementing the plan and determine if
 81.15 the district met its goals.

81.16 (b) If a district met its goals, it may submit a new three-year plan to the commissioner
 81.17 for review.

81.18 (c) If a district has not met its goals, the commissioner must:

81.19 (1) develop a district improvement plan and timeline, in consultation with the
 81.20 affected district, that identifies strategies and practices designed to meet the district's goals
 81.21 under this section and section 120B.11; and

81.22 (2) use up to 20 percent of the district's ~~integration revenue~~ achievement gap
 81.23 elimination aid, until the district's goals are reached, to implement the improvement plan.

81.24 Subd. 9. **Department funding.** For fiscal years 2016 and later, an amount equal
 81.25 to 0.2 percent of the total expenditures under section 124D.862 for fiscal year 2015 is
 81.26 transferred to the department for oversight and accountability activities required under
 81.27 this section and section 124D.861.

81.28 **EFFECTIVE DATE.** This section is effective for revenue for fiscal year 2016
 81.29 and later.

81.30 Sec. 60. Minnesota Statutes 2014, section 135A.101, is amended by adding a
 81.31 subdivision to read:

81.32 Subd. 3. **Minnesota transfer curriculum.** Notwithstanding section 135A.08 or
 81.33 other law to the contrary, all MnSCU institutions must give full credit to a secondary pupil
 81.34 who completes for postsecondary credit a postsecondary course or program that is part or
 81.35 all of a goal area or a transfer curriculum at a MnSCU institution when the pupil enrolls

82.1 in a MnSCU institution after leaving secondary school. Once one MnSCU institution
82.2 certifies as completed a secondary student's postsecondary course or program that is part
82.3 or all of a goal area or a transfer curriculum, every MnSCU institution must consider the
82.4 student's course or program for that goal area or the transfer curriculum as completed.

82.5 **EFFECTIVE DATE.** This section is effective August 1, 2015.

82.6 Sec. 61. Minnesota Statutes 2014, section 179A.20, is amended by adding a
82.7 subdivision to read:

82.8 **Subd. 4a. Unrequested leave of absence for teachers.** A school board and the
82.9 exclusive representative of the teachers may not execute a contract effective for the
82.10 2017-2018 school year or later unless the contract contains a plan for unrequested leave of
82.11 absence under section 122A.40, subdivision 10, or a plan for discontinuing or terminating
82.12 teachers under section 122A.41, subdivision 14.

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

82.14 Sec. 62. Laws 2014, chapter 312, article 16, section 15, is amended to read:

82.15 Sec. 15. **TEACHER DEVELOPMENT AND EVALUATION REVENUE.**

82.16 (a) For fiscal year 2015 only, teacher development and evaluation revenue for a
82.17 school district, intermediate school district, or charter school with any school site that does
82.18 not have an alternative professional pay system agreement under Minnesota Statutes,
82.19 section 122A.414, subdivision 2, equals \$302 times the number of full-time equivalent
82.20 teachers employed on October 1 of the previous school year in each school site without
82.21 an alternative professional pay system under Minnesota Statutes, section 122A.414,
82.22 subdivision 2. Except for charter schools, revenue under this section must be reserved for
82.23 teacher development and evaluation activities consistent with Minnesota Statutes, section
82.24 122A.40, subdivision 8, or Minnesota Statutes, section 122A.41, subdivision 5. For the
82.25 purposes of this section, "teacher" has the meaning given it in Minnesota Statutes, section
82.26 122A.40, subdivision 1, or Minnesota Statutes, section 122A.41, subdivision 1.

82.27 (b) Notwithstanding paragraph (a), the state total teacher development and evaluation
82.28 revenue entitlement must not exceed \$10,000,000 for fiscal year 2015. The commissioner
82.29 must limit the amount of revenue under this section so as not to exceed this limit.

82.30 **EFFECTIVE DATE.** This section is effective for fiscal year 2015.

82.31 Sec. 63. **TEACHER LICENSURE AGREEMENTS WITH ADJOINING STATES.**

83.1 The Board of Teaching must prepare and submit a report to the K-12 education
 83.2 committees of the legislature by February 15, 2016, indicating the number, contracting
 83.3 states, and extent of the interstate agreements for teacher licensure under Minnesota
 83.4 Statutes, section 122A.23, subdivision 3, reached between August 1 and December 31,
 83.5 2015.

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

83.7 Sec. 64. **TRANSFER CURRICULUM REPORT.**

83.8 By February 1, 2016, the chancellor of the Minnesota State Colleges and
 83.9 Universities must prepare and submit to the K-12 and higher education committees of
 83.10 the legislature a report describing the implementation of the transfer curriculum policy
 83.11 for postsecondary enrollment options program students under Minnesota Statutes,
 83.12 sections 124D.09, subdivision 12, and 135A.101, subdivision 3, and how to standardize
 83.13 Advanced Placement, International Baccalaureate, and college-level exam program course
 83.14 equivalencies across all state colleges and universities.

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

83.16 Sec. 65. **INTEGRATION LEVY ADJUSTMENT.**

83.17 Notwithstanding section 59, for fiscal year 2016 only, a school district's achievement
 83.18 and integration levy under Minnesota Statutes, section 124D.862, that is recognized
 83.19 entirely in the previous year equals 30 percent of its achievement and integration revenue
 83.20 for fiscal year 2016.

83.21 Sec. 66. **APPROPRIATIONS.**

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

83.24 Subd. 2. **Achievement gap elimination aid.** For gap elimination aid under
 83.25 Minnesota Statutes, section 124D.862:

83.26	<u>\$</u>	<u>65,539,000</u>	<u>.....</u>	<u>2016</u>
83.27	<u>\$</u>	<u>68,745,000</u>	<u>.....</u>	<u>2017</u>

83.28 The 2016 appropriation includes \$6,382,000 for 2015 and \$59,157,000 for 2016.

83.29 The 2017 appropriation includes \$6,573,000 for 2016 and \$62,172,000 for 2017.

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

84.1 \$ 44,552,000 2016
 84.2 \$ 45,508,000 2017

84.3 The 2016 appropriation includes \$4,683,000 for 2015 and \$39,869,000 for 2016.

84.4 The 2017 appropriation includes \$4,429,000 for 2016 and \$41,079,000 for 2017.

84.5 Subd. 4. **Interdistrict desegregation or integration transportation grants.** For
 84.6 interdistrict desegregation or integration transportation grants under Minnesota Statutes,
 84.7 section 124D.87:

84.8 \$ 15,023,000 2016
 84.9 \$ 15,825,000 2017

84.10 Subd. 5. **Success for the future.** For American Indian success for the future grants
 84.11 under Minnesota Statutes, section 124D.81:

84.12 \$ 2,812,000 2016
 84.13 \$ 2,887,000 2017

84.14 The 2016 appropriation includes \$213,000 for 2015 and \$2,599,000 for 2016.

84.15 The 2017 appropriation includes \$288,000 for 2016 and \$2,599,000 for 2017.

84.16 Subd. 6. **American Indian teacher preparation grants.** From the educator
 84.17 licensure account in the special revenue fund, unless insufficient funds exist within the
 84.18 educator licensure account in which case any remaining funds are from the general fund,
 84.19 for joint grants to assist American Indian people to become teachers under Minnesota
 84.20 Statutes, section 122A.63:

84.21 \$ 190,000 2016
 84.22 \$ 190,000 2017

84.23 Subd. 7. **Tribal contract schools.** For tribal contract school aid under Minnesota
 84.24 Statutes, section 124D.83:

84.25 \$ 2,166,000 2016
 84.26 \$ 2,295,000 2017

84.27 The 2016 appropriation includes \$204,000 for 2015 and \$1,962,000 for 2016.

84.28 The 2017 appropriation includes \$218,000 for 2016 and \$2,077,000 for 2017.

84.29 Subd. 8. **Early childhood programs at tribal schools.** For early childhood family
 84.30 education programs at tribal contract schools under Minnesota Statutes, section 124D.83,
 84.31 subdivision 4:

84.32 \$ 68,000 2016
 84.33 \$ 68,000 2017

85.1 Subd. 9. Examination fees; teacher training and support programs. (a) For
 85.2 students' advanced placement and international baccalaureate examination fees under
 85.3 Minnesota Statutes, section 120B.13, subdivision 3, and the training and related costs
 85.4 for teachers and other interested educators under Minnesota Statutes, section 120B.13,
 85.5 subdivision 1:

85.6 \$ 4,500,000 2016

85.7 \$ 4,500,000 2017

85.8 (b) The advanced placement program shall receive 75 percent of the appropriation
 85.9 each year and the international baccalaureate program shall receive 25 percent of the
 85.10 appropriation each year. The department, in consultation with representatives of the
 85.11 advanced placement and international baccalaureate programs selected by the Advanced
 85.12 Placement Advisory Council and IBMN, respectively, shall determine the amounts of
 85.13 the expenditures each year for examination fees and training and support programs for
 85.14 each program.

85.15 (c) Notwithstanding Minnesota Statutes, section 120B.13, subdivision 1, at least
 85.16 \$500,000 each year is for teachers to attend subject matter summer training programs
 85.17 and follow-up support workshops approved by the advanced placement or international
 85.18 baccalaureate programs. The amount of the subsidy for each teacher attending an
 85.19 advanced placement or international baccalaureate summer training program or workshop
 85.20 shall be the same. The commissioner shall determine the payment process and the amount
 85.21 of the subsidy.

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

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

85.27 Subd. 10. Concurrent enrollment programs. For concurrent enrollment programs
 85.28 under Minnesota Statutes, section 124D.091:

85.29 \$ 5,000,000 2016

85.30 \$ 8,000,000 2017

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

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

85.34 Subd. 11. Collaborative urban educator. For the collaborative urban educator
 85.35 grant program:

86.1 \$ 780,000 2016
 86.2 \$ 780,000 2017

86.3 \$195,000 each year is for the Southeast Asian teacher program at Concordia
 86.4 University, St. Paul; \$195,000 each year is for the collaborative urban educator program
 86.5 at the University of St. Thomas; \$195,000 each year is for the Center for Excellence in
 86.6 Urban Teaching at Hamline University; and \$195,000 each year is for the East Africa
 86.7 Student to Teacher program at Augsburg College.

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

86.9 Each institution shall prepare for the legislature, by January 15 of each year, a
 86.10 detailed report regarding the funds used. The report must include the number of teachers
 86.11 prepared as well as the diversity for each cohort of teachers produced.

86.12 Subd. 12. **ServeMinnesota program.** For funding ServeMinnesota programs under
 86.13 Minnesota Statutes, sections 124D.37 to 124D.45:

86.14 \$ 900,000 2016
 86.15 \$ 900,000 2017

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

86.19 Subd. 13. **Student organizations.** For student organizations:

86.20 \$ 725,000 2016
 86.21 \$ 725,000 2017

86.22 \$46,000 each year is for student organizations serving health occupations.

86.23 \$100,000 each year is for student organizations serving trade and industry
 86.24 occupations.

86.25 \$95,000 each year is for student organizations serving business occupations.

86.26 \$187,000 each year is for student organizations serving agriculture occupations.

86.27 \$142,000 each year is for student organizations serving family and consumer science
 86.28 occupations.

86.29 \$109,000 each year is for student organizations serving marketing occupations.

86.30 \$46,000 each year is for the Minnesota Foundation for Student Organizations.

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

86.32 Subd. 14. **Early childhood literacy programs.** For innovation grants to
 86.33 ServeMinnesota for the Minnesota reading corps program under Minnesota Statutes,
 86.34 section 124D.42, subdivision 8:

87.1 \$ 7,375,000 2016
 87.2 \$ 7,375,000 2017

87.3 Up to \$7,375,000 each year is to help maximize federal and nonpublic funding to
 87.4 support AmeriCorps members serving in the Minnesota reading corps program established
 87.5 by ServeMinnesota, including costs to train and teach early literacy skills to children age
 87.6 three to grade 3 and to evaluate the impact of the Minnesota reading corps program under
 87.7 Minnesota Statutes, section 124D.42, subdivision 8.

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

87.9 Subd. 15. **Minnesota math corps program.** For the Minnesota math corps program
 87.10 under Minnesota Statutes, section 124D.42, subdivision 9:

87.11 \$ 250,000 2016
 87.12 \$ 250,000 2017

87.13 Any unexpended balance in the first year does not cancel but is available in the
 87.14 second year.

87.15 Subd. 16. **Alternative compensation.** For alternative teacher compensation aid
 87.16 under Minnesota Statutes, section 122A.415, subdivision 4:

87.17 \$ 78,331,000 2016
 87.18 \$ 77,647,000 2017

87.19 The 2016 appropriation includes \$7,766,000 for 2015 and \$70,565,000 for 2016.

87.20 The 2017 appropriation includes \$7,840,000 for 2016 and \$69,807,000 for 2017.

87.21 Subd. 17. **Starbase MN.** For a grant to Starbase MN for rigorous science,
 87.22 technology, engineering, and math (STEM) programs providing students in grades 4 to
 87.23 6 with a multisensory learning experience and a hands-on curriculum in an aerospace
 87.24 environment using state-of-the-art technology:

87.25 \$ 924,000 2016
 87.26 \$ 0 2017

87.27 This appropriation does not cancel but is available in the second year of the biennium.

87.28 The base budget for this appropriation is \$500,000 for fiscal year 2018 and later.

87.29 All unspent funds, estimated at \$924,000 from the Starbase MN appropriation under
 87.30 Laws 2013, chapter 116, article 3, section 37, subdivision 22, are canceled to the general
 87.31 fund on June 30, 2015.

87.32 Subd. 18. **Teacher development and evaluation.** For teacher development and
 87.33 evaluation revenue:

89.1 Subd. 4. **Revisions and reviews required.** (a) The commissioner of education must
89.2 revise and appropriately embed technology and information literacy standards consistent
89.3 with recommendations from school media specialists into the state's academic standards
89.4 and graduation requirements and implement a ten-year cycle to review and, consistent
89.5 with the review, revise state academic standards and related benchmarks, consistent with
89.6 this subdivision. During each ten-year review and revision cycle, the commissioner also
89.7 must examine the alignment of each required academic standard and related benchmark
89.8 with the knowledge and skills students need for career and college readiness and advanced
89.9 work in the particular subject area. The commissioner must include the contributions of
89.10 Minnesota American Indian tribes and communities as related to the academic standards
89.11 during the review and revision of the required academic standards.

89.12 (b) The commissioner must ensure that the statewide mathematics assessments
89.13 administered to students in grades 3 through 8 and 11 are aligned with the state academic
89.14 standards in mathematics, consistent with section 120B.30, subdivision 1, paragraph
89.15 (b). The commissioner must implement a review of the academic standards and related
89.16 benchmarks in mathematics beginning in the ~~2015-2016~~ 2020-2021 school year and
89.17 every ten years thereafter.

89.18 (c) The commissioner must implement a review of the academic standards and related
89.19 benchmarks in arts beginning in the 2016-2017 school year and every ten years thereafter.

89.20 (d) The commissioner must implement a review of the academic standards and
89.21 related benchmarks in science beginning in the 2017-2018 school year and every ten
89.22 years thereafter.

89.23 (e) The commissioner must implement a review of the academic standards and
89.24 related benchmarks in language arts beginning in the 2018-2019 school year and every
89.25 ten years thereafter.

89.26 (f) The commissioner must implement a review of the academic standards and
89.27 related benchmarks in social studies beginning in the 2019-2020 school year and every
89.28 ten years thereafter.

89.29 (g) School districts and charter schools must revise and align local academic
89.30 standards and high school graduation requirements in health, world languages, and career
89.31 and technical education to require students to complete the revised standards beginning
89.32 in a school year determined by the school district or charter school. School districts and
89.33 charter schools must formally establish a periodic review cycle for the academic standards
89.34 and related benchmarks in health, world languages, and career and technical education.

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

90.1 Sec. 3. Minnesota Statutes 2014, section 120B.022, subdivision 1, is amended to read:

90.2 Subdivision 1. **Elective standards.** A district must establish its own standards in ~~the~~
 90.3 ~~following subject areas:~~

90.4 ~~(1) career and technical education; and~~

90.5 ~~(2) A district must use the current world languages standards developed by the~~
 90.6 American Council on the Teaching of Foreign Languages.

90.7 A school district must offer courses in all elective subject areas.

90.8 Sec. 4. Minnesota Statutes 2014, section 120B.024, subdivision 2, is amended to read:

90.9 Subd. 2. **Credit equivalencies.** (a) A one-half credit of economics taught in a
 90.10 school's agriculture education or business department may fulfill a one-half credit in
 90.11 social studies under subdivision 1, clause (5), if the credit is sufficient to satisfy all of the
 90.12 academic standards in economics.

90.13 (b) An agriculture science or career and technical education credit may fulfill ~~the~~
 90.14 ~~credit in chemistry or physics or the elective science credit required under subdivision 1,~~
 90.15 ~~clause (4), if the credit meets the state chemistry or physics, or district biology~~ physical
 90.16 science, life science, earth and space science, chemistry, or physics academic standards or
 90.17 a combination of these academic standards as approved by the district. An agriculture or
 90.18 career and technical education credit may fulfill the credit in chemistry or physics required
 90.19 under subdivision 1, clause (4), if the credit meets the state chemistry or physics academic
 90.20 standards as approved by the district. A student must satisfy either all of the chemistry
 90.21 academic standards or all of the physics academic standards prior to graduation. An
 90.22 agriculture science or career and technical education credit may not fulfill the required
 90.23 biology credit under subdivision 1, clause (4).

90.24 (c) A career and technical education credit may fulfill a mathematics or arts credit
 90.25 requirement under subdivision 1, clause (2) or (6).

90.26 (d) An agriculture education teacher is not required to meet the requirements of
 90.27 Minnesota Rules, part 3505.1150, subpart 1, item B, to meet the credit equivalency
 90.28 requirements of paragraph (b) above.

90.29 (e) A computer science credit may fulfill a mathematics credit requirement under
 90.30 subdivision 1, clause (2), if the credit meets state academic standards in mathematics.

90.31 **EFFECTIVE DATE.** This section is effective for the 2015-2016 school year and
 90.32 later.

90.33 Sec. 5. Minnesota Statutes 2014, section 120B.11, subdivision 1a, is amended to read:

91.1 Subd. 1a. **Performance measures.** Measures to determine school district and
 91.2 school site progress in striving to create the world's best workforce must include at least:

91.3 (1) student performance on the National Assessment of Education Progress where
 91.4 applicable;

91.5 (2) the size of the academic achievement gap, rigorous course taking under section
 91.6 120B.35, subdivision 3, paragraph (c), clause (2), and enrichment experiences by student
 91.7 subgroup;

91.8 (3) student performance on the Minnesota Comprehensive Assessments including
 91.9 attainment of readiness score guidelines identified under section 120B.30, subdivision 1,
 91.10 paragraph (j);

91.11 (4) high school graduation rates; and

91.12 (5) career and college readiness under section 120B.30, subdivision 1, paragraph (p).

91.13 Sec. 6. Minnesota Statutes 2014, section 120B.125, is amended to read:

91.14 **120B.125 PLANNING FOR STUDENTS' SUCCESSFUL TRANSITION**
 91.15 **TO POSTSECONDARY EDUCATION AND EMPLOYMENT; PERSONAL**
 91.16 **LEARNING PLANS.**

91.17 (a) Consistent with sections ~~120B.128~~, 120B.13, 120B.131, 120B.132, 120B.14,
 91.18 120B.15, 120B.30, subdivision 1, paragraph (c), 125A.08, and other related sections,
 91.19 school districts, beginning in the 2013-2014 school year, must assist all students by no
 91.20 later than grade 9 to explore their educational, college, and career interests, aptitudes, and
 91.21 aspirations and develop a plan for a smooth and successful transition to postsecondary
 91.22 education or employment. All students' plans must:

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

91.27 (2) emphasize academic rigor and high expectations;

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

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

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

92.1 (6) integrate strong academic content into career-focused courses and applied and
92.2 experiential learning opportunities and integrate relevant career-focused courses and
92.3 applied and experiential learning opportunities into strong academic content;

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

92.8 (8) help identify collaborative partnerships among prekindergarten through grade
92.9 12 schools, postsecondary institutions, economic development agencies, and local and
92.10 regional employers that support students' transition to postsecondary education and
92.11 employment and provide students with applied and experiential learning opportunities; and

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

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

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

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

92.30 Sec. 7. Minnesota Statutes 2014, section 120B.30, subdivision 1, is amended to read:

92.31 Subdivision 1. **Statewide testing.** (a) The commissioner, with advice from experts
92.32 with appropriate technical qualifications and experience and stakeholders, consistent
92.33 with subdivision 1a, shall include in the comprehensive assessment system, for each
92.34 grade level to be tested, state-constructed tests developed as computer-adaptive reading
92.35 and mathematics assessments for students that are aligned with the state's required

93.1 academic standards under section 120B.021, include multiple choice questions, and are
 93.2 administered annually to all students in grades 3 through 7 8. ~~Reading and mathematics~~
 93.3 ~~assessments for all students in grade 8 must be aligned with the state's required reading and~~
 93.4 ~~mathematics standards, be administered annually, and include multiple choice questions.~~
 93.5 State-developed high school tests aligned with the state's required academic standards
 93.6 under section 120B.021 and administered to all high school students in a subject other than
 93.7 writing must include multiple choice questions. The commissioner shall establish one or
 93.8 more months during which schools shall administer the tests to students each school year.

93.9 (1) Students enrolled in grade 8 through the 2009-2010 school year are eligible
 93.10 to be assessed under (i) the graduation-required assessment for diploma in reading,
 93.11 mathematics, or writing under Minnesota Statutes 2012, section 120B.30, subdivision 1,
 93.12 paragraphs (c), clauses (1) and (2), and (d), (ii) the WorkKeys job skills assessment, (iii)
 93.13 the Compass college placement test, (iv) the ACT assessment for college admission, ~~or~~ (v)
 93.14 a nationally recognized armed services vocational aptitude test, or (vi) the high school
 93.15 assessments required under subdivision 1a.

93.16 (2) Students enrolled in grade 8 in the 2010-2011 or 2011-2012 school year are
 93.17 eligible to be assessed under (i) the graduation-required assessment for diploma in reading,
 93.18 mathematics, or writing under Minnesota Statutes 2012, section 120B.30, subdivision
 93.19 1, paragraph (c), clauses (1) and (2), (ii) the WorkKeys job skills assessment, (iii) the
 93.20 Compass college placement test, (iv) the ACT assessment for college admission, ~~or~~ (v)
 93.21 a nationally recognized armed services vocational aptitude test, or (vi) the high school
 93.22 assessments required under subdivision 1a.

93.23 (3) Students enrolled in grade 8 in the 2012-2013 or 2013-2014 school year are
 93.24 eligible to be assessed under the ACT assessment for college admission or the high school
 93.25 assessments required under subdivision 1a.

93.26 ~~(3)~~ (4) For students under clause (1) ~~or~~ (2), or (3), a school district may substitute
 93.27 a score from an alternative, equivalent assessment to satisfy the requirements of this
 93.28 paragraph.

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

93.31 (1) mathematics;

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

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

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

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

94.3 (c) For students enrolled in grade 8 in the ~~2012-2013~~ 2014-2015 school year
94.4 and later, students' state graduation requirements, based on a longitudinal, systematic
94.5 approach to student education and career planning, assessment, instructional support, and
94.6 evaluation, include the following:

94.7 (1) demonstrate understanding of required academic standards on ~~a nationally~~
94.8 ~~normed college entrance exam~~ high school assessments required under subdivision 1a;

94.9 (2) achievement and career and college readiness tests in mathematics, reading, and
94.10 writing, consistent with paragraph (e) (j) and to the extent available, to monitor students'
94.11 continuous development of and growth in requisite knowledge and skills; analyze
94.12 students' progress and performance levels, identifying students' academic strengths and
94.13 diagnosing areas where students require curriculum or instructional adjustments, targeted
94.14 interventions, or remediation; and, based on analysis of students' progress and performance
94.15 data, determine students' learning and instructional needs and the instructional tools and
94.16 best practices that support academic rigor for the student; and

94.17 (3) consistent with this paragraph and section 120B.125, age-appropriate exploration
94.18 and planning activities and career assessments to encourage students to identify personally
94.19 relevant career interests and aptitudes and help students and their families develop a
94.20 regularly reexamined transition plan for postsecondary education or employment without
94.21 need for postsecondary remediation.

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

94.25 (d) Expectations of schools, districts, and the state for career or college readiness
94.26 under this subdivision must be comparable in rigor, clarity of purpose, and rates of student
94.27 completion. A student under paragraph (c), clause (2)₂ must receive targeted, relevant,
94.28 academically rigorous, and resourced instruction, which may include a targeted instruction
94.29 and intervention plan focused on improving the student's knowledge and skills in core
94.30 subjects so that the student has a reasonable chance to succeed in a career or college
94.31 without need for postsecondary remediation. Consistent with sections 120B.13, 124D.09,
94.32 124D.091, 124D.49, and related sections, an enrolling school or district must actively
94.33 encourage a student in grade 11 or 12 who is identified as academically ready for a career
94.34 or college to participate in courses and programs awarding college credit to high school
94.35 students. Students are not required to achieve a specified score or level of proficiency on
94.36 an assessment under this subdivision to graduate from high school.

95.1 ~~(d) To improve the secondary and postsecondary outcomes of all students, the~~
95.2 ~~alignment between secondary and postsecondary education programs and Minnesota's~~
95.3 ~~workforce needs, and the efficiency and cost-effectiveness of secondary and postsecondary~~
95.4 ~~programs, the commissioner, after consulting with the chancellor of the Minnesota State~~
95.5 ~~Colleges and Universities and using a request for proposal process, shall contract for a~~
95.6 ~~series of assessments that are consistent with this subdivision, aligned with state academic~~
95.7 ~~standards, and include career and college readiness benchmarks. Mathematics, reading,~~
95.8 ~~and writing assessments for students in grades 8 and 10 must be predictive of a nationally~~
95.9 ~~normed assessment for career and college readiness. This~~

95.10 (e) Though not a high school graduation requirement, students are encouraged to
95.11 participate in a nationally recognized college entrance exam. With funding provided by
95.12 the state, a district must pay the cost, one time, for an interested student in grade 11 or 12
95.13 who is eligible for a meal benefit to take a nationally recognized assessment must be a
95.14 college entrance exam and given to students in grade 11 before graduating. This series
95.15 of assessments must include a college placement diagnostic exam and contain career
95.16 exploration elements.

95.17 (f) The commissioner and the chancellor of the Minnesota State Colleges and
95.18 Universities must collaborate in aligning instruction and assessments for adult basic
95.19 education students and English learners to provide the students with diagnostic information
95.20 about any targeted interventions, accommodations, modifications, and supports they
95.21 need so that assessments and other performance measures are accessible to them and
95.22 they may seek postsecondary education or employment without need for postsecondary
95.23 remediation. When administering formative or summative assessments used to measure
95.24 the academic progress, including the oral academic development, of English learners
95.25 and inform their instruction, schools must ensure that the assessments are accessible to
95.26 the students and students have the modifications and supports they need to sufficiently
95.27 understand the assessments.

95.28 ~~(+)~~ (g) Districts and schools, on an annual basis, must use ~~the~~ career exploration
95.29 elements ~~in these assessments~~ to help students, beginning no later than grade 9, and their
95.30 families explore and plan for postsecondary education or careers based on the students'
95.31 interests, aptitudes, and aspirations. Districts and schools must use timely regional labor
95.32 market information and partnerships, among other resources, to help students and their
95.33 families successfully develop, pursue, review, and revise an individualized plan for
95.34 postsecondary education or a career. This process must help increase students' engagement
95.35 in and connection to school, improve students' knowledge and skills, and deepen students'
95.36 understanding of career pathways as a sequence of academic and career courses that lead

96.1 to an industry-recognized credential, an associate's degree, or a bachelor's degree and are
96.2 available to all students, whatever their interests and career goals.

96.3 ~~(2) Students in grade 10 or 11 not yet academically ready for a career or college based~~
96.4 ~~on their growth in academic achievement between grades 8 and 10 must take the college~~
96.5 ~~placement diagnostic exam before taking the college entrance exam under clause (3).~~
96.6 ~~Students, their families, the school, and the district can then use the results of the college~~
96.7 ~~placement diagnostic exam for targeted instruction, intervention, or remediation and~~
96.8 ~~improve students' knowledge and skills in core subjects sufficient for a student to graduate~~
96.9 ~~and have a reasonable chance to succeed in a career or college without remediation.~~

96.10 ~~(3) All students except those eligible for alternative assessments must be given the~~
96.11 ~~college entrance part of these assessments in grade 11. (h) A student under this clause~~
96.12 ~~who demonstrates attainment of required state academic standards, which include career~~
96.13 ~~and college readiness benchmarks, on these high school assessments under subdivision 1a~~
96.14 ~~is academically ready for a career or college and is encouraged to participate in courses~~
96.15 ~~awarding college credit to high school students. Such courses and programs may include~~
96.16 ~~sequential courses of study within broad career areas and technical skill assessments~~
96.17 ~~that extend beyond course grades.~~

96.18 ~~(4) (i) As appropriate, students through grade 12 must continue to participate in~~
96.19 ~~targeted instruction, intervention, or remediation and be encouraged to participate in~~
96.20 ~~courses awarding college credit to high school students.~~

96.21 ~~(5) A study to determine the alignment between these assessments and state~~
96.22 ~~academic standards under this chapter must be conducted. Where alignment exists, the~~
96.23 ~~commissioner must seek federal approval to, and immediately upon receiving approval,~~
96.24 ~~replace the federally required assessments referenced under subdivision 1a and section~~
96.25 ~~120B.35, subdivision 2, with assessments under this paragraph.~~

96.26 ~~(e) (j) In developing, supporting, and improving students' academic readiness for a~~
96.27 ~~career or college, schools, districts, and the state must have a continuum of empirically~~
96.28 ~~derived, clearly defined benchmarks focused on students' attainment of knowledge~~
96.29 ~~and skills so that students, their parents, and teachers know how well students must~~
96.30 ~~perform to have a reasonable chance to succeed in a career or college without need for~~
96.31 ~~postsecondary remediation. The commissioner, in consultation with local school officials~~
96.32 ~~and educators, and Minnesota's public postsecondary institutions must ensure that the~~
96.33 ~~foundational knowledge and skills for students' successful performance in postsecondary~~
96.34 ~~employment or education and an articulated series of possible targeted interventions are~~
96.35 ~~clearly identified and satisfy Minnesota's postsecondary admissions requirements. The~~
96.36 ~~commissioner of education, in consultation with the chancellor of the Minnesota State~~

97.1 Colleges and Universities, shall identify the minimum score guidelines on the high
97.2 school reading, writing, and mathematics Minnesota Comprehensive Assessments that
97.3 demonstrate readiness for:

97.4 (1) a certificate level program;

97.5 (2) a two-year college program; and

97.6 (3) a four-year college program.

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

97.10 ~~(g)~~ (l) The school board granting students their diplomas may formally decide to
97.11 include a notation of high achievement on the high school diplomas of those graduating
97.12 seniors who, according to established school board criteria, demonstrate exemplary
97.13 academic achievement during high school.

97.14 ~~(h)~~ (m) The 3rd through 7th 8th grade computer-adaptive assessment results ~~and grade~~
97.15 8 and high school test results shall be available to districts for diagnostic purposes affecting
97.16 student learning and district instruction and curriculum, and for establishing educational
97.17 accountability. The commissioner must establish empirically derived benchmarks on
97.18 adaptive assessments in grades 3 through 7 8 that reveal a trajectory toward career and
97.19 college readiness. The commissioner must disseminate to the public the computer-adaptive
97.20 assessments, ~~grade 8~~, and high school test results upon receiving those results.

97.21 ~~(i)~~ (n) The grades 3 through 7 8 computer-adaptive assessments ~~and grade 8~~ and
97.22 high school tests must be aligned with state academic standards. The commissioner shall
97.23 determine the testing process and the order of administration. The statewide results shall
97.24 be aggregated at the site and district level, consistent with subdivision 1a.

97.25 ~~(j)~~ (o) The commissioner shall include the following components in the statewide
97.26 public reporting system:

97.27 (1) uniform statewide computer-adaptive assessments of all students in grades 3
97.28 through 7 8 and testing at the ~~grade 8~~ and high school levels that provides appropriate,
97.29 technically sound accommodations or alternate assessments;

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

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

97.34 (4) state results from participation in the National Assessment of Educational
97.35 Progress so that the state can benchmark its performance against the nation and other

98.1 states, and, where possible, against other countries, and contribute to the national effort
98.2 to monitor achievement.

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

98.9 ~~(h)~~ (q) For purposes of statewide accountability, "cultural competence," "cultural
98.10 competency," or "culturally competent" means the ability and will to interact effectively
98.11 with people of different cultures, native languages, and socioeconomic backgrounds.

98.12 **EFFECTIVE DATE.** This section is effective for the 2015-2016 school year and
98.13 later.

98.14 Sec. 8. Minnesota Statutes 2014, section 120B.30, subdivision 1a, is amended to read:

98.15 Subd. 1a. **Statewide and local assessments; results.** (a) For purposes of this
98.16 section, the following definitions have the meanings given them.

98.17 (1) "Computer-adaptive assessments" means fully adaptive assessments.

98.18 (2) "Fully adaptive assessments" include test items that are on-grade level and items
98.19 that may be above or below a student's grade level.

98.20 (3) "On-grade level" test items contain subject area content that is aligned to state
98.21 academic standards for the grade level of the student taking the assessment.

98.22 (4) "Above-grade level" test items contain subject area content that is above the
98.23 grade level of the student taking the assessment and is considered aligned with state
98.24 academic standards to the extent it is aligned with content represented in state academic
98.25 standards above the grade level of the student taking the assessment. Notwithstanding
98.26 the student's grade level, administering above-grade level test items to a student does not
98.27 violate the requirement that state assessments must be aligned with state standards.

98.28 (5) "Below-grade level" test items contain subject area content that is below the
98.29 grade level of the student taking the test and is considered aligned with state academic
98.30 standards to the extent it is aligned with content represented in state academic standards
98.31 below the student's current grade level. Notwithstanding the student's grade level,
98.32 administering below-grade level test items to a student does not violate the requirement
98.33 that state assessments must be aligned with state standards.

98.34 (b) The commissioner must use fully adaptive mathematics and reading assessments
98.35 for grades 3 through 7 ~~beginning in the 2015-2016 school year and later~~ 8.

99.1 (c) For purposes of conforming with existing federal educational accountability
99.2 requirements, the commissioner must develop and implement computer-adaptive reading
99.3 and mathematics assessments for grades 3 through 7 8, state-developed ~~grade 8~~ and high
99.4 school reading, writing, and mathematics tests aligned with state academic standards, and
99.5 science assessments under clause (2) that districts and sites must use to monitor student
99.6 growth toward achieving those standards. The commissioner must not develop statewide
99.7 assessments for academic standards in social studies, health and physical education, and
99.8 the arts. The commissioner must require:

99.9 (1) annual computer-adaptive reading and mathematics assessments in grades 3
99.10 through 7 8, and ~~grade 8~~ and high school reading, writing, and mathematics tests; and

99.11 (2) annual science assessments in one grade in the grades 3 through 5 span, the
99.12 grades 6 through 8 span, and a life sciences assessment in the grades 9 through 12 span,
99.13 and the commissioner must not require students to achieve a passing score on high school
99.14 science assessments as a condition of receiving a high school diploma.

99.15 (d) The commissioner must ensure that for annual computer-adaptive assessments:

99.16 (1) individual student performance data and achievement reports are available
99.17 within three school days of when students take an assessment except in a year when an
99.18 assessment reflects new performance standards;

99.19 (2) growth information is available for each student from the student's first
99.20 assessment to each proximate assessment using a constant measurement scale;

99.21 (3) parents, teachers, and school administrators are able to use elementary and
99.22 middle school student performance data to project students' secondary and postsecondary
99.23 achievement; and

99.24 (4) useful diagnostic information about areas of students' academic strengths and
99.25 weaknesses is available to teachers and school administrators for improving student
99.26 instruction and indicating the specific skills and concepts that should be introduced and
99.27 developed for students at given performance levels, organized by strands within subject
99.28 areas, and aligned to state academic standards.

99.29 (e) The commissioner must ensure that all state tests administered to elementary and
99.30 secondary students measure students' academic knowledge and skills and not students'
99.31 values, attitudes, and beliefs.

99.32 (f) Reporting of state assessment results must:

99.33 (1) provide timely, useful, and understandable information on the performance of
99.34 individual students, schools, school districts, and the state;

99.35 (2) include a growth indicator of student achievement; and

99.36 (3) determine whether students have met the state's academic standards.

100.1 (g) Consistent with applicable federal law, the commissioner must include
 100.2 appropriate, technically sound accommodations or alternative assessments for the very
 100.3 few students with disabilities for whom statewide assessments are inappropriate and
 100.4 for English learners.

100.5 (h) A school, school district, and charter school must administer statewide
 100.6 assessments under this section, as the assessments become available, to evaluate student
 100.7 progress toward career and college readiness in the context of the state's academic
 100.8 standards. A school, school district, or charter school may use a student's performance
 100.9 on a statewide assessment as one of multiple criteria to determine grade promotion or
 100.10 retention. A school, school district, or charter school may use a high school student's
 100.11 performance on a statewide assessment as a percentage of the student's final grade in a
 100.12 course, or place a student's assessment score on the student's transcript.

100.13 **EFFECTIVE DATE.** This section is effective for the 2016-2017 school year and
 100.14 later.

100.15 Sec. 9. **APPROPRIATIONS.**

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

100.18 Subd. 2. **Statewide testing and reporting system.** For the statewide testing and
 100.19 reporting system under Minnesota Statutes, section 120B.30:

100.20	\$	<u>11,176,000</u>	<u>.....</u>	<u>2016</u>
100.21	\$	<u>10,864,000</u>	<u>.....</u>	<u>2017</u>

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

100.23 Subd. 3. **ACT test reimbursement.** To reimburse districts for students who qualify
 100.24 under Minnesota Statutes, section 120B.30, subdivision 1, paragraph (e), for onetime
 100.25 payment of their ACT examination fee:

100.26	\$	<u>1,750,000</u>	<u>.....</u>	<u>2016</u>
100.27	\$	<u>1,750,000</u>	<u>.....</u>	<u>2017</u>

100.28 The Department of Education must reimburse districts for their onetime payments
 100.29 on behalf of students eligible for a meal benefit who take the college entrance exam in
 100.30 grade 11 or 12.

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

100.32 Sec. 10. **REPEALER.**

101.1 Minnesota Statutes 2014, section 120B.128, is repealed.

101.2 **ARTICLE 4**

101.3 **CHARTER SCHOOLS**

101.4 Section 1. Minnesota Statutes 2014, section 123B.88, is amended by adding a
101.5 subdivision to read:

101.6 Subd. 10a. **Nonresident charter school pupil transportation.** If a school district is
101.7 providing transportation for a charter school under section 124D.10, subdivision 16, the
101.8 school district must allow a nonresident pupil attending the charter school to be transported
101.9 on a district-operated or contracted route from any scheduled stop to any other scheduled
101.10 stop on that route. The district providing the pupil transportation services may charge a
101.11 fee to the nonresident pupil. The fee for each nonresident pupil must not exceed the lesser
101.12 of 15 cents per mile or the district's actual cost of transportation per mile traveled.

101.13 **EFFECTIVE DATE.** This section is effective July 1, 2015.

101.14 Sec. 2. Minnesota Statutes 2014, section 124D.10, subdivision 1, is amended to read:

101.15 Subdivision 1. **Purposes.** (a) The primary purpose of this section is to improve all
101.16 pupil learning and all student achievement. Additional purposes include to:

101.17 (1) increase learning opportunities for all pupils;

101.18 (2) encourage the use of different and innovative teaching methods;

101.19 (3) measure learning outcomes and create different and innovative forms of
101.20 measuring outcomes;

101.21 (4) establish new forms of accountability for schools; or

101.22 (5) create new professional opportunities for teachers, including the opportunity to
101.23 be responsible for the learning program at the school site.

101.24 (b) This section does not provide a means to keep open a school that a school board
101.25 decides to close. However, a school board may endorse or authorize the establishing of
101.26 a charter school to replace the school the board decided to close. Applicants seeking a
101.27 charter under this circumstance must demonstrate to the authorizer that the charter sought
101.28 is substantially different in purpose and program from the school the board closed and
101.29 that the proposed charter satisfies the requirements of this subdivision. If the school
101.30 board that closed the school authorizes the charter, it must document in its affidavit to the
101.31 commissioner that the charter is substantially different in program and purpose from
101.32 the school it closed.

102.1 (c) An authorizer shall not approve an application submitted by a charter school
102.2 developer under subdivision 4, paragraph (a), if the application does not comply with this
102.3 subdivision. The commissioner shall not approve an affidavit submitted by an authorizer
102.4 under subdivision 4, paragraph (b), if the affidavit does not comply with this subdivision.

102.5 Sec. 3. Minnesota Statutes 2014, section 124D.10, subdivision 3, is amended to read:

102.6 Subd. 3. **Authorizer.** (a) For purposes of this section, the terms defined in this
102.7 subdivision have the meanings given them.

102.8 "Application" to receive approval as an authorizer means the proposal an eligible
102.9 authorizer submits to the commissioner under paragraph ~~(e)~~ (d) before that authorizer is
102.10 able to submit any affidavit to charter to a school.

102.11 "Application" under subdivision 4 means the charter school business plan a
102.12 school developer submits to an authorizer for approval to establish a charter school that
102.13 documents the school developer's mission statement, school purposes, program design,
102.14 financial plan, governance and management structure, and background and experience,
102.15 plus any other information the authorizer requests. The application also shall include a
102.16 "statement of assurances" of legal compliance prescribed by the commissioner.

102.17 "Affidavit" means a written statement the authorizer submits to the commissioner
102.18 for approval to establish a charter school under subdivision 4 attesting to its review and
102.19 approval process before chartering a school.

102.20 (b) The following organizations may authorize one or more charter schools:

102.21 (1) a school board, intermediate school district school board, or education district
102.22 organized under sections 123A.15 to 123A.19;

102.23 (2) a charitable organization under section 501(c)(3) of the Internal Revenue Code
102.24 of 1986, excluding a nonpublic sectarian or religious institution; any person other than a
102.25 natural person that directly or indirectly, through one or more intermediaries, controls,
102.26 is controlled by, or is under common control with the nonpublic sectarian or religious
102.27 institution; and any other charitable organization under this clause that in the federal IRS
102.28 Form 1023, Part IV, describes activities indicating a religious purpose, that:

102.29 (i) is a member of the Minnesota Council of Nonprofits or the Minnesota Council on
102.30 Foundations;

102.31 (ii) is registered with the attorney general's office; and

102.32 (iii) is incorporated in the state of Minnesota and has been operating continuously
102.33 for at least five years but does not operate a charter school;

102.34 (3) a Minnesota private college, notwithstanding clause (2), that grants two- or
102.35 four-year degrees and is registered with the Minnesota Office of Higher Education under

103.1 chapter 136A; community college, state university, or technical college governed by the
103.2 Board of Trustees of the Minnesota State Colleges and Universities; or the University
103.3 of Minnesota;

103.4 (4) a nonprofit corporation subject to chapter 317A, described in section 317A.905,
103.5 and exempt from federal income tax under section 501(c)(6) of the Internal Revenue Code
103.6 of 1986, may authorize one or more charter schools if the charter school has operated
103.7 for at least three years under a different authorizer and if the nonprofit corporation has
103.8 existed for at least 25 years; or

103.9 (5) single-purpose authorizers formed as charitable, nonsectarian organizations
103.10 under section 501(c)(3) of the Internal Revenue Code of 1986 and incorporated in the state
103.11 of Minnesota under chapter 317A as a corporation with no members or under section
103.12 322B.975 as a nonprofit limited liability company for the sole purpose of chartering schools.

103.13 (c) Eligible organizations interested in being approved as an authorizer under this
103.14 paragraph must submit a proposal to the commissioner that includes the provisions
103.15 of paragraph ~~(e)~~ (d) and a five-year financial plan. Such authorizers shall consider and
103.16 approve charter school applications using the criteria provided in subdivision 4 and shall
103.17 not limit the applications it solicits, considers, or approves to any single curriculum,
103.18 learning program, or method.

103.19 ~~(e)~~ (d) An eligible authorizer under this subdivision must apply to the commissioner
103.20 for approval as an authorizer before submitting any affidavit to the commissioner to charter
103.21 a school. The application for approval as a charter school authorizer must demonstrate
103.22 the applicant's ability to implement the procedures and satisfy the criteria for chartering a
103.23 school under this section. The commissioner must approve or disapprove an application
103.24 within 45 business days of the application deadline. If the commissioner disapproves
103.25 the application, the commissioner must notify the applicant of the specific deficiencies
103.26 in writing and the applicant then has 20 business days to address the deficiencies to the
103.27 commissioner's satisfaction. After the 20 business days expire, the commissioner has 15
103.28 business days to make a final decision to approve or disapprove the application. Failing to
103.29 address the deficiencies to the commissioner's satisfaction makes an applicant ineligible to
103.30 be an authorizer. The commissioner, in establishing criteria for approval, must consider
103.31 the applicant's:

- 103.32 (1) capacity and infrastructure;
- 103.33 (2) application criteria and process;
- 103.34 (3) contracting process;
- 103.35 (4) ongoing oversight and evaluation processes; and
- 103.36 (5) renewal criteria and processes.

104.1 ~~(d)~~ (e) An applicant must include in its application to the commissioner to be an
104.2 approved authorizer at least the following:

104.3 (1) how chartering schools is a way for the organization to carry out its mission;

104.4 (2) a description of the capacity of the organization to serve as an authorizer,
104.5 including the personnel who will perform the authorizing duties, their qualifications, the
104.6 amount of time they will be assigned to this responsibility, and the financial resources
104.7 allocated by the organization to this responsibility;

104.8 (3) a description of the application and review process the authorizer will use to
104.9 make decisions regarding the granting of charters;

104.10 (4) a description of the type of contract it will arrange with the schools it charters
104.11 that meets the provisions of subdivision 6;

104.12 (5) the process to be used for providing ongoing oversight of the school consistent
104.13 with the contract expectations specified in clause (4) that assures that the schools chartered
104.14 are complying with both the provisions of applicable law and rules, and with the contract;

104.15 (6) a description of the criteria and process the authorizer will use to grant expanded
104.16 applications under subdivision 4, paragraph ~~(j)~~ (s);

104.17 (7) the process for making decisions regarding the renewal or termination of
104.18 the school's charter based on evidence that demonstrates the academic, organizational,
104.19 and financial competency of the school, including its success in increasing student
104.20 achievement and meeting the goals of the charter school agreement; and

104.21 (8) an assurance specifying that the organization is committed to serving as an
104.22 authorizer for the full five-year term.

104.23 ~~(e)~~ (f) A disapproved applicant under this section may resubmit an application
104.24 during a future application period.

104.25 ~~(f)~~ (g) If the governing board of an approved authorizer votes to withdraw as
104.26 an approved authorizer for a reason unrelated to any cause under subdivision 23, the
104.27 authorizer must notify all its chartered schools and the commissioner in writing by July 15
104.28 of its intent to withdraw as an authorizer on June 30 in the next calendar year, regardless
104.29 of when the authorizer's five-year term of approval ends. The commissioner may approve
104.30 the transfer of a charter school to a new authorizer under this paragraph after the new
104.31 authorizer submits an affidavit to the commissioner.

104.32 ~~(g)~~ (h) The authorizer must participate in department-approved training.

104.33 ~~(h)~~ (i) The commissioner shall review an authorizer's performance every five years
104.34 in a manner and form determined by the commissioner and may review an authorizer's
104.35 performance more frequently at the commissioner's own initiative or at the request of a
104.36 charter school operator, charter school board member, or other interested party. The

105.1 commissioner, after completing the review, shall transmit a report with findings to the
105.2 authorizer.

105.3 (j) If, consistent with this section, the commissioner finds that an authorizer has not
105.4 fulfilled the requirements of this section, the commissioner may subject the authorizer
105.5 to corrective action, which may include terminating the contract with the charter school
105.6 board of directors of a school it chartered. The commissioner must notify the authorizer
105.7 in writing of any findings that may subject the authorizer to corrective action and
105.8 the authorizer then has 15 business days to request an informal hearing before the
105.9 commissioner takes corrective action. If the commissioner terminates a contract between
105.10 an authorizer and a charter school under this paragraph, the commissioner may assist the
105.11 charter school in acquiring a new authorizer.

105.12 ~~(j)~~ (k) The commissioner may at any time take corrective action against an
105.13 authorizer, including terminating an authorizer's ability to charter a school for:

105.14 (1) failing to demonstrate the criteria under paragraph ~~(e)~~ (d) under which the
105.15 commissioner approved the authorizer;

105.16 (2) violating a term of the chartering contract between the authorizer and the charter
105.17 school board of directors;

105.18 (3) unsatisfactory performance as an approved authorizer; or

105.19 (4) any good cause shown that provides the commissioner a legally sufficient reason
105.20 to take corrective action against an authorizer.

105.21 Sec. 4. Minnesota Statutes 2014, section 124D.10, subdivision 4, is amended to read:

105.22 Subd. 4. **Formation of school.** (a) An authorizer, after receiving an application from
105.23 a school developer, may charter a licensed teacher under section 122A.18, subdivision
105.24 1, or a group of individuals that includes one or more licensed teachers under section
105.25 122A.18, subdivision 1, to operate a school subject to the commissioner's approval of the
105.26 authorizer's affidavit under paragraph ~~(b)~~ (d).

105.27 (b) The school must be organized and operated as a nonprofit corporation under
105.28 chapter 317A and the provisions under the applicable chapter shall apply to the school
105.29 except as provided in this section.

105.30 (c) Notwithstanding sections 465.717 and 465.719, a school district, subject to this
105.31 section and section 124D.11, may create a corporation for the purpose of establishing a
105.32 charter school.

105.33 ~~(b)~~ (d) Before the operators may establish and operate a school, the authorizer must
105.34 file an affidavit with the commissioner stating its intent to charter a school. An authorizer
105.35 must file a separate affidavit for each school it intends to charter. An authorizer must file

106.1 an affidavit ~~by May 1 to be able to charter a new school in the next school year after the~~
106.2 ~~commissioner approves the authorizer's affidavit~~ at least 14 months before July 1 of the
106.3 year the new charter school plans to serve students. The affidavit must state the terms and
106.4 conditions under which the authorizer would charter a school and how the authorizer
106.5 intends to oversee the fiscal and student performance of the charter school and to comply
106.6 with the terms of the written contract between the authorizer and the charter school
106.7 board of directors under subdivision 6. The commissioner must approve or disapprove
106.8 the authorizer's affidavit within 60 business days of receipt of the affidavit. If the
106.9 commissioner disapproves the affidavit, the commissioner shall notify the authorizer of
106.10 the deficiencies in the affidavit and the authorizer then has 20 business days to address the
106.11 deficiencies. The commissioner must notify the authorizer of final approval or disapproval
106.12 within 15 business days after receiving the authorizer's response to the deficiencies in the
106.13 affidavit. If the authorizer does not address deficiencies to the commissioner's satisfaction,
106.14 the commissioner's disapproval is final. Failure to obtain commissioner approval precludes
106.15 an authorizer from chartering the school that is the subject of this affidavit.

106.16 ~~(e)~~ (e) The authorizer may prevent an approved charter school from opening for
106.17 operation if, among other grounds, the charter school violates this section or does not meet
106.18 the ready-to-open standards that are part of the authorizer's oversight and evaluation
106.19 process or are stipulated in the charter school contract.

106.20 ~~(d)~~ (f) The operators authorized to organize and operate a school, before entering
106.21 into a contract or other agreement for professional or other services, goods, or facilities,
106.22 must incorporate as a nonprofit corporation under chapter 317A ~~and~~.

106.23 (g) The operators authorized to organize and operate a school, before entering into a
106.24 contract or other agreement for professional or other services, goods, or facilities, must
106.25 establish a board of directors composed of at least five members who are not related parties
106.26 until a timely election for members of the ongoing charter school board of directors is
106.27 held according to the school's articles and bylaws under paragraph ~~(f)~~ (l). ~~A charter school~~
106.28 ~~board of directors must be composed of at least five members who are not related parties.~~

106.29 (h) Staff members employed at the school, including teachers providing instruction
106.30 under a contract with a cooperative, members of the board of directors, and all parents
106.31 or legal guardians of children enrolled in the school are the voters eligible to elect the
106.32 members of the school's board of directors. A charter school must notify eligible voters of
106.33 the school board election dates at least 30 days before the election.

106.34 (i) Board of director meetings must comply with chapter 13D.

106.35 ~~(e)~~ (j) A charter school shall publish and maintain on the school's official Web site:
106.36 (1) the minutes of meetings of the board of directors, and of members and committees

107.1 having any board-delegated authority, for at least one calendar year from the date
107.2 of publication; (2) directory information for members of the board of directors and
107.3 committees having board-delegated authority; and (3) identifying and contact information
107.4 for the school's authorizer. Identifying and contact information for the school's authorizer
107.5 must be included in other school materials made available to the public.

107.6 (k) Upon request of an individual, the charter school must also make available in
107.7 a timely fashion financial statements showing all operations and transactions affecting
107.8 income, surplus, and deficit during the school's last annual accounting period; and a
107.9 balance sheet summarizing assets and liabilities on the closing date of the accounting
107.10 period. A charter school also must include that same information about its authorizer in
107.11 other school materials that it makes available to the public.

107.12 ~~(f)~~ (l) Every charter school board member shall attend annual training throughout
107.13 the member's term on the board. All new board members shall attend initial training on
107.14 the board's role and responsibilities, employment policies and practices, and financial
107.15 management. A new board member who does not begin the required initial training within
107.16 six months after being seated and complete that training within 12 months of being seated
107.17 on the board is automatically ineligible to continue to serve as a board member. The
107.18 school shall include in its annual report the training attended by each board member
107.19 during the previous year.

107.20 ~~(g)~~ (m) The ongoing board must be elected before the school completes its third
107.21 year of operation. Board elections must be held during the school year but may not be
107.22 conducted on days when the school is closed for holidays, breaks, or vacations.

107.23 (n) The charter school board of directors shall be composed of at least five nonrelated
107.24 members and include: (i) at least one licensed teacher employed as a teacher at the school
107.25 or providing instruction under contract between the charter school and a cooperative; (ii)
107.26 at least one parent or legal guardian of a student enrolled in the charter school who is not
107.27 an employee of the charter school; and (iii) at least one interested community member
107.28 who resides in Minnesota and is not employed by the charter school and does not have a
107.29 child enrolled in the school. The board may include a majority of teachers described in
107.30 this paragraph or parents or community members, or it may have no clear majority. The
107.31 chief financial officer and the chief administrator may only serve as ex-officio nonvoting
107.32 board members. No charter school employees shall serve on the board other than teachers
107.33 under item (i). Contractors providing facilities, goods, or services to a charter school shall
107.34 not serve on the board of directors of the charter school.

108.1 (o) Board bylaws shall outline the process and procedures for changing the board's
108.2 governance structure, consistent with chapter 317A. A board may change its governance
108.3 structure only:

108.4 (1) by a majority vote of the board of directors and a majority vote of the licensed
108.5 teachers employed by the school as teachers, including licensed teachers providing
108.6 instruction under a contract between the school and a cooperative; and

108.7 (2) with the authorizer's approval.

108.8 Any change in board governance structure must conform with the composition of
108.9 the board established under this paragraph.

108.10 ~~(h)~~ (p) The granting or renewal of a charter by an authorizer must not be conditioned
108.11 upon the bargaining unit status of the employees of the school.

108.12 ~~(i)~~ (q) The granting or renewal of a charter school by an authorizer must not be
108.13 contingent on the charter school being required to contract, lease, or purchase services
108.14 from the authorizer.

108.15 (r) Any potential contract, lease, or purchase of service from an authorizer must
108.16 be disclosed to the commissioner, accepted through an open bidding process, and be a
108.17 separate contract from the charter contract. The school must document the open bidding
108.18 process. An authorizer must not enter into a contract to provide management and financial
108.19 services for a school that it authorizes, unless the school documents that it received at
108.20 least two competitive bids.

108.21 ~~(j)~~ (s) A charter school may apply to the authorizer to amend the school charter to
108.22 expand the operation of the school to additional grades or sites that would be students'
108.23 primary enrollment site beyond those defined in the original affidavit approved by the
108.24 commissioner. After approving the school's application, the authorizer shall submit a
108.25 supplementary affidavit in the form and manner prescribed by the commissioner. The
108.26 authorizer must file a supplement affidavit by October 1 to be eligible to expand in the next
108.27 school year. The supplementary affidavit must document that the school has demonstrated
108.28 to the satisfaction of the authorizer the following:

108.29 (1) the need for the expansion with supporting long-range enrollment projections;

108.30 (2) a longitudinal record of demonstrated student academic performance and growth
108.31 on statewide assessments under chapter 120B or on other academic assessments that
108.32 measure longitudinal student performance and growth approved by the charter school's
108.33 board of directors and agreed upon with the authorizer;

108.34 (3) a history of sound school finances and a finance plan to implement the expansion
108.35 in a manner to promote the school's financial sustainability; and

109.1 (4) board capacity and an administrative and management plan to implement its
109.2 expansion.

109.3 ~~(k)~~ (t) The commissioner shall have 30 business days to review and comment on the
109.4 supplemental affidavit. The commissioner shall notify the authorizer in writing of any
109.5 deficiencies in the supplemental affidavit and the authorizer then has 20 business days to
109.6 address, to the commissioner's satisfaction, any deficiencies in the supplemental affidavit.
109.7 The commissioner must notify the authorizer of final approval or disapproval within 15
109.8 business days after receiving the authorizer's response to the deficiencies in the affidavit.
109.9 The school may not expand grades or add sites until the commissioner has approved the
109.10 supplemental affidavit. The commissioner's approval or disapproval of a supplemental
109.11 affidavit is final.

109.12 Sec. 5. Minnesota Statutes 2014, section 124D.10, subdivision 8, is amended to read:

109.13 Subd. 8. **Federal, state, and local requirements.** (a) A charter school shall meet all
109.14 federal, state, and local health and safety requirements applicable to school districts.

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

109.17 (c) A school authorized by a school board may be located in any district, unless the
109.18 school board of the district of the proposed location disapproves by written resolution.

109.19 (d) A charter school must be nonsectarian in its programs, admission policies,
109.20 employment practices, and all other operations. An authorizer may not authorize a charter
109.21 school or program that is affiliated with a nonpublic sectarian school or a religious
109.22 institution.

109.23 (e) A charter school student must be released for religious instruction, consistent
109.24 with section 120A.22, subdivision 12, clause (3).

109.25 ~~(e)~~ (f) Charter schools must not be used as a method of providing education or
109.26 generating revenue for students who are being home-schooled. This paragraph does not
109.27 apply to shared time aid under section 126C.19.

109.28 ~~(f)~~ (g) The primary focus of a charter school must be to provide a comprehensive
109.29 program of instruction for at least one grade or age group from five through 18 years of
109.30 age. Instruction may be provided to people older than 18 years of age. A charter school
109.31 may offer a free or fee-based preschool or prekindergarten that meets high-quality early
109.32 learning instructional program standards that are aligned with Minnesota's early learning
109.33 standards for children. The hours a student is enrolled in a fee-based prekindergarten
109.34 program do not generate pupil units under section 126C.05 and must not be used to
109.35 calculate general education revenue under section 126C.10. A charter school with at least

110.1 90 percent of enrolled students who are eligible for special education services and have
 110.2 a primary disability of deaf or hard-of-hearing may enroll prekindergarten pupils with a
 110.3 disability under section 126C.05, subdivision 1, paragraph (a), and must comply with the
 110.4 federal Individuals with Disabilities Education Act under Code of Federal Regulations,
 110.5 title 34, section 300.324, subsection (2), clause (iv).

110.6 ~~(g)~~ (h) Except as provided in paragraph (g), a charter school may not charge tuition.

110.7 ~~(h)~~ (i) A charter school is subject to and must comply with chapter 363A and section
 110.8 121A.04.

110.9 ~~(i)~~ (j) Once a student is enrolled in the school, the student is considered enrolled
 110.10 in the school until the student formally withdraws or is expelled under the Pupil Fair
 110.11 Dismissal Act in sections 121A.40 to 121A.56. A charter school is subject to and must
 110.12 comply with the Pupil Fair Dismissal Act, sections 121A.40 to 121A.56, ~~and~~.

110.13 ~~(k)~~ (k) A charter school is subject to and must comply with the Minnesota Public School
 110.14 Fee Law, sections 123B.34 to 123B.39.

110.15 ~~(j)~~ (l) A charter school is subject to the same financial audits, audit procedures, and
 110.16 audit requirements as a district, except as required under subdivision 6a. Audits must be
 110.17 conducted in compliance with generally accepted governmental auditing standards, the
 110.18 federal Single Audit Act, if applicable, and section 6.65. A charter school is subject
 110.19 to and must comply with sections 15.054; 118A.01; 118A.02; 118A.03; 118A.04;
 110.20 118A.05; 118A.06; 471.38; 471.391; 471.392; and 471.425. The audit must comply with
 110.21 the requirements of sections 123B.75 to 123B.83, except to the extent deviations are
 110.22 necessary because of the program at the school. Deviations must be approved by the
 110.23 commissioner and authorizer. The Department of Education, state auditor, legislative
 110.24 auditor, or authorizer may conduct financial, program, or compliance audits. A charter
 110.25 school determined to be in statutory operating debt under sections 123B.81 to 123B.83
 110.26 must submit a plan under section 123B.81, subdivision 4.

110.27 ~~(k)~~ (m) A charter school is a district for the purposes of tort liability under chapter 466.

110.28 ~~(h)~~ (n) A charter school must comply with chapters 13 and 13D; and sections
 110.29 120A.22, subdivision 7; 121A.75; and 260B.171, subdivisions 3 and 5.

110.30 ~~(m)~~ (o) A charter school is subject to the Pledge of Allegiance requirement under
 110.31 section 121A.11, subdivision 3.

110.32 ~~(n)~~ (p) A charter school offering online courses or programs must comply with
 110.33 section 124D.095.

110.34 ~~(o)~~ (q) A charter school and charter school board of directors are subject to chapter
 110.35 181.

111.1 ~~(p)~~ (r) A charter school must comply with section 120A.22, subdivision 7, governing
 111.2 the transfer of students' educational records and sections 138.163 and 138.17 governing
 111.3 the management of local records.

111.4 ~~(q)~~ (s) A charter school that provides early childhood health and developmental
 111.5 screening must comply with sections 121A.16 to 121A.19.

111.6 ~~(r)~~ (t) A charter school that provides school-sponsored youth athletic activities
 111.7 must comply with section 121A.38.

111.8 ~~(s)~~ (u) A charter school is subject to and must comply with continuing truant
 111.9 notification under section 260A.03.

111.10 ~~(t)~~ (v) A charter school must develop and implement a teacher evaluation and
 111.11 peer review process under section 122A.40, subdivision 8, paragraph (b), clauses (2) to
 111.12 (13). The teacher evaluation process in this paragraph does not create any additional
 111.13 employment rights for teachers.

111.14 ~~(u)~~ (w) A charter school must adopt a policy, plan, budget, and process, consistent
 111.15 with section 120B.11, to review curriculum, instruction, and student achievement and
 111.16 strive for the world's best workforce.

111.17 ~~(v)~~ (x) A charter school must comply with section 121A.031 governing policies on
 111.18 prohibited conduct.

111.19 ~~(w)~~ (y) A charter school must comply with all pupil transportation requirements in
 111.20 section 123B.88, subdivision 1. A charter school must not require parents to surrender
 111.21 their rights to pupil transportation under section 123B.88, subdivision 2.

111.22 Sec. 6. Minnesota Statutes 2014, section 124D.10, subdivision 9, is amended to read:

111.23 Subd. 9. **Admission requirements.** (a) A charter school may limit admission to:

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

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

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

111.29 (b) A charter school shall enroll an eligible pupil who submits a timely application,
 111.30 unless the number of applications exceeds the capacity of a program, class, grade level, or
 111.31 building. In this case, pupils must be accepted by lot. The charter school must develop
 111.32 and publish, including on its Web site, a lottery policy and process that it must use when
 111.33 accepting pupils by lot.

111.34 (c) A charter school shall give enrollment preference to a sibling of an enrolled pupil
 111.35 and to a foster child of that pupil's parents and may give preference for enrolling children

112.1 of the school's staff before accepting other pupils by lot. A charter school that is located in
112.2 Duluth township in St. Louis County and admits students in kindergarten through grade
112.3 6 must give enrollment preference to students residing within a five-mile radius of the
112.4 school and to the siblings of enrolled children. ~~A If a charter school has a preschool or~~
112.5 ~~prekindergarten program under subdivision 8, paragraph (g), that is free to all participants,~~
112.6 the charter school may give enrollment preference to children currently enrolled in the
112.7 school's free preschool or prekindergarten program under subdivision 8, paragraph (f),
112.8 who are eligible to enroll in kindergarten in the next school year.

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

112.17 (e) Except as permitted in paragraph (d), a charter school may not limit admission
112.18 to pupils on the basis of intellectual ability, measures of achievement or aptitude, or
112.19 athletic ability and may not establish any criteria or requirements for admission that are
112.20 inconsistent with this subdivision.

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

112.24 **EFFECTIVE DATE.** This section is effective for the 2015-2016 school year and
112.25 later.

112.26 Sec. 7. Minnesota Statutes 2014, section 124D.10, subdivision 12, is amended to read:

112.27 Subd. 12. **Pupils with a disability.** A charter school must comply with sections
112.28 125A.02, 125A.03 to 125A.24, ~~and 125A.65, and 125A.75~~ and rules relating to the
112.29 education of pupils with a disability as though it were a district. A charter school enrolling
112.30 prekindergarten pupils with a disability under subdivision 8, paragraph (g), must comply
112.31 with sections 125A.259 to 125A.48 and rules relating to the Interagency Early Intervention
112.32 System as though it were a school district.

112.33 **EFFECTIVE DATE.** This section is effective for fiscal year 2016 and later.

113.1 Sec. 8. Minnesota Statutes 2014, section 124D.10, subdivision 14, is amended to read:

113.2 Subd. 14. **Annual public reports.** (a) A charter school must publish an annual
113.3 report approved by the board of directors. The annual report must at least include
113.4 information on school enrollment, student attrition, governance and management, staffing,
113.5 finances, academic performance, innovative practices and implementation, and future
113.6 plans. A charter school may combine this report with the reporting required under section
113.7 120B.11. A charter school must post the annual report on the school's official Web site. A
113.8 charter school must also distribute the annual report by publication, mail, or electronic
113.9 means to its authorizer, school employees, and parents and legal guardians of students
113.10 enrolled in the charter school. The reports are public data under chapter 13.

113.11 (b) The commissioner shall establish specifications for an authorizer's annual public
113.12 report that is part of the system to evaluate authorizer performance under subdivision
113.13 3, paragraph (h). The report shall at least include key indicators of school academic,
113.14 operational, and financial performance.

113.15 Sec. 9. Minnesota Statutes 2014, section 124D.10, subdivision 16, is amended to read:

113.16 Subd. 16. **Transportation.** (a) A charter school after its first fiscal year of operation
113.17 by March 1 of each fiscal year and a charter school by July 1 of its first fiscal year of
113.18 operation must notify the district in which the school is located and the Department of
113.19 Education if it will provide its own transportation or use the transportation services of the
113.20 district in which it is located for the fiscal year.

113.21 (b) If a charter school elects to provide transportation for pupils, the transportation
113.22 must be provided by the charter school within the district in which the charter school is
113.23 located. The state must pay transportation aid to the charter school according to section
113.24 124D.11, subdivision 2.

113.25 For pupils who reside outside the district in which the charter school is located, the
113.26 charter school is not required to provide or pay for transportation between the pupil's
113.27 residence and the border of the district in which the charter school is located. A parent
113.28 may be reimbursed by the charter school for costs of transportation from the pupil's
113.29 residence to the border of the district in which the charter school is located if the pupil is
113.30 from a family whose income is at or below the poverty level, as determined by the federal
113.31 government. The reimbursement may not exceed the pupil's actual cost of transportation
113.32 or 15 cents per mile traveled, whichever is less. Reimbursement may not be paid for
113.33 more than 250 miles per week.

113.34 At the time a pupil enrolls in a charter school, the charter school must provide the
113.35 parent or guardian with information regarding the transportation.

114.1 (c) If a charter school does not elect to provide transportation, transportation for
114.2 pupils enrolled at the school must be provided by the district in which the school is located,
114.3 according to sections 123B.88, subdivision 6, and 124D.03, subdivision 8, for a pupil
114.4 residing in the same district in which the charter school is located. Transportation may
114.5 be provided by the district in which the school is located, according to sections 123B.88,
114.6 subdivision 6, and 124D.03, subdivision 8, for a pupil residing in a different district and
114.7 must be provided according to section 123B.88, subdivision 10a. If the district provides the
114.8 transportation, the scheduling of routes, manner and method of transportation, control and
114.9 discipline of the pupils, and any other matter relating to the transportation of pupils under
114.10 this paragraph shall be within the sole discretion, control, and management of the district.

114.11 **EFFECTIVE DATE.** This section is effective July 1, 2015.

114.12 Sec. 10. Minnesota Statutes 2014, section 124D.10, subdivision 23, is amended to read:

114.13 Subd. 23. **Causes for nonrenewal or termination of charter school contract.** (a)

114.14 The duration of the contract with an authorizer must be for the term contained in the
114.15 contract according to subdivision 6. The authorizer may or may not renew a contract at
114.16 the end of the term for any ground listed in paragraph (b). An authorizer may unilaterally
114.17 terminate a contract during the term of the contract for any ground listed in paragraph (b).
114.18 At least 60 business days before not renewing or terminating a contract, the authorizer
114.19 shall notify the board of directors of the charter school of the proposed action in writing.
114.20 The notice shall state the grounds for the proposed action in reasonable detail and that the
114.21 charter school's board of directors may request in writing an informal hearing before the
114.22 authorizer within 15 business days of receiving notice of nonrenewal or termination of
114.23 the contract. Failure by the board of directors to make a written request for an informal
114.24 hearing within the 15-business-day period shall be treated as acquiescence to the proposed
114.25 action. Upon receiving a timely written request for a hearing, the authorizer shall give ten
114.26 business days' notice to the charter school's board of directors of the hearing date. The
114.27 authorizer shall conduct an informal hearing before taking final action. The authorizer
114.28 shall take final action to renew or not renew a contract no later than 20 business days
114.29 before the proposed date for terminating the contract or the end date of the contract.

114.30 (b) A contract may be terminated or not renewed upon any of the following grounds:

- 114.31 (1) failure to demonstrate satisfactory academic achievement for all students,
114.32 including the requirements for pupil performance contained in the contract;
- 114.33 (2) failure to meet generally accepted standards of fiscal management;
- 114.34 (3) violations of law; or
- 114.35 (4) other good cause shown.

115.1 If a contract is terminated or not renewed under this paragraph, the school must be
115.2 dissolved according to the applicable provisions of chapter 317A.

115.3 (c) If the authorizer and the charter school board of directors mutually agree not to
115.4 renew the contract, a change in authorizers is allowed. The authorizer and the school
115.5 board must jointly submit a written and signed letter of their intent to the commissioner
115.6 to mutually not renew the contract. The authorizer that is a party to the existing contract
115.7 must inform the proposed authorizer about the fiscal, operational, and student performance
115.8 status of the school, as well as any outstanding contractual obligations that exist. The
115.9 charter contract between the proposed authorizer and the school must identify and provide
115.10 a plan to address any outstanding obligations from the previous contract. The proposed
115.11 contract must be submitted at least 105 business days before the end of the existing
115.12 charter contract. The commissioner shall have 30 business days to review and make a
115.13 determination. The proposed authorizer and the school shall have 15 business days to
115.14 respond to the determination and address any issues identified by the commissioner. A
115.15 final determination by the commissioner shall be made no later than 45 business days
115.16 before the end of the current charter contract. If no change in authorizer is approved, the
115.17 school and the current authorizer may withdraw their letter of nonrenewal and enter into a
115.18 new contract. If the transfer of authorizers is not approved and the current authorizer and
115.19 the school do not withdraw their letter and enter into a new contract, the school must be
115.20 dissolved according to applicable law and the terms of the contract.

115.21 (d) The commissioner, after providing reasonable notice to the board of directors of
115.22 a charter school and the existing authorizer, and after providing an opportunity for a public
115.23 hearing, may terminate the existing contract between the authorizer and the charter school
115.24 board if the charter school has a history of:

115.25 (1) failure to meet pupil performance requirements consistent with state law;

115.26 (2) financial mismanagement or failure to meet generally accepted standards of
115.27 fiscal management; or

115.28 (3) repeated or major violations of the law.

115.29 (e) Notwithstanding other provisions of this subdivision, the authorizer of a charter
115.30 school may terminate an existing contract between the authorizer and the charter school at
115.31 the end of the current school year, after notifying the charter school board of directors by
115.32 December 1, if in each of the previous three consecutive school years the performance of
115.33 the charter school based on federal school accountability measures and on state measures
115.34 of student performance and growth would place the school in the bottom ten percent of all
115.35 public schools as determined by the commissioner. If an authorizer chooses to terminate
115.36 the contract, the school must be closed according to applicable law and the terms of the

116.1 contract. The authorizer must work with the charter school's board of directors to ensure
116.2 parents of children currently enrolled at the school are aware of school choice options
116.3 and receive assistance in selecting an appropriate choice for their children for the next
116.4 school year. If the authorizer chooses not to terminate the existing contract under these
116.5 conditions, the authorizer must submit a public, written justification of its decision to the
116.6 commissioner by December 1. The federal and state measures identified in this paragraph
116.7 do not prevent an authorizer from closing schools under other conditions, consistent with
116.8 applicable law and contract terms.

116.9 Sec. 11. Minnesota Statutes 2014, section 124D.10, is amended by adding a
116.10 subdivision to read:

116.11 Subd. 24a. **Merger.** (a) Two or more charter schools may merge under chapter
116.12 317A. The effective date of a merger must be July 1. The merged school must continue
116.13 under the identity of one of the merging schools. A new charter contract under subdivision
116.14 6 must be executed by July 1. The authorizer must submit to the commissioner a copy of
116.15 the new signed charter contract within ten business days of its execution.

116.16 (b) Each merging school must submit a separate year-end report for the previous year
116.17 for that school only. After the final fiscal year of the premerger schools is closed out, the
116.18 fund balances and debts from the merging schools must be transferred to the merged school.

116.19 (c) For its first year of operation, the merged school is eligible to receive aid from
116.20 programs requiring approved applications equal to the sum of the aid of all of the merging
116.21 schools. For aids based on prior year data, the merged school is eligible to receive aid for
116.22 its first year of operation based on the combined data of all of the merging schools.

116.23 Sec. 12. Minnesota Statutes 2014, section 124D.11, subdivision 9, is amended to read:

116.24 Subd. 9. **Payment of aids to charter schools.** (a) Notwithstanding section
116.25 127A.45, subdivision 3, if the current year aid payment percentage under section
116.26 127A.45, subdivision 2, paragraph (d), is 90 or greater, aid payments for the current
116.27 fiscal year to a charter school shall be of an equal amount on each of the 24 payment
116.28 dates. Notwithstanding section 127A.45, subdivision 3, if the current year aid payment
116.29 percentage under section 127A.45, subdivision 2, paragraph (d), is less than 90, aid
116.30 payments for the current fiscal year to a charter school shall be of an equal amount on
116.31 each of the 16 payment dates in July through February.

116.32 (b) Notwithstanding paragraph (a) and section 127A.45, for a charter school ceasing
116.33 operation on or prior to June 30 of a school year, for the payment periods occurring after
116.34 the school ceases serving students, the commissioner shall withhold the estimated state aid

117.1 owed the school. The charter school board of directors and authorizer must submit to the
117.2 commissioner a closure plan under chapter 308A or 317A, and financial information about
117.3 the school's liabilities and assets. After receiving the closure plan, financial information,
117.4 an audit of pupil counts, documentation of lease expenditures, and monitoring of special
117.5 education expenditures, the commissioner may release cash withheld and may continue
117.6 regular payments up to the current year payment percentages if further amounts are
117.7 owed. If, based on audits and monitoring, the school received state aid in excess of the
117.8 amount owed, the commissioner shall retain aid withheld sufficient to eliminate the aid
117.9 overpayment. For a charter school ceasing operations prior to, or at the end of, a school
117.10 year, notwithstanding section 127A.45, subdivision 3, preliminary final payments may
117.11 be made after receiving the closure plan, audit of pupil counts, monitoring of special
117.12 education expenditures, documentation of lease expenditures, and school submission of
117.13 Uniform Financial Accounting and Reporting Standards (UFARS) financial data for the
117.14 final year of operation. Final payment may be made upon receipt of audited financial
117.15 statements under section 123B.77, subdivision 3.

117.16 (c) If a charter school fails to comply with the commissioner's directive to return,
117.17 for cause, federal or state funds administered by the department, the commissioner may
117.18 withhold an amount of state aid sufficient to satisfy the directive.

117.19 (d) If, within the timeline under section 471.425, a charter school fails to pay the state
117.20 of Minnesota, a school district, intermediate school district, or service cooperative after
117.21 receiving an undisputed invoice for goods and services, the commissioner may withhold
117.22 an amount of state aid sufficient to satisfy the claim and shall distribute the withheld
117.23 aid to the interested state agency, school district, intermediate school district, or service
117.24 cooperative. An interested state agency, school district, intermediate school district, or
117.25 education cooperative shall notify the commissioner when a charter school fails to pay an
117.26 undisputed invoice within 75 business days of when it received the original invoice.

117.27 ~~(e) Notwithstanding section 127A.45, subdivision 3, and paragraph (a), 80 percent~~
117.28 ~~of the start-up cost aid under subdivision 8 shall be paid within 45 days after the first day~~
117.29 ~~of student attendance for that school year.~~

117.30 ~~(f)~~ (e) In order to receive state aid payments under this subdivision, a charter school
117.31 in its first three years of operation must submit a school calendar in the form and manner
117.32 requested by the department and a quarterly report to the Department of Education. The
117.33 report must list each student by grade, show the student's start and end dates, if any,
117.34 with the charter school, and for any student participating in a learning year program,
117.35 the report must list the hours and times of learning year activities. The report must be
117.36 submitted not more than two weeks after the end of the calendar quarter to the department.

118.1 The department must develop a Web-based reporting form for charter schools to use
 118.2 when submitting enrollment reports. A charter school in its fourth and subsequent year of
 118.3 operation must submit a school calendar and enrollment information to the department in
 118.4 the form and manner requested by the department.

118.5 ~~(g)~~ (f) Notwithstanding sections 317A.701 to 317A.791, upon closure of a charter
 118.6 school and satisfaction of creditors, cash and investment balances remaining shall be
 118.7 returned to the state.

118.8 ~~(h)~~ (g) A charter school must have a valid, signed contract under section 124D.10,
 118.9 subdivision 6, on file at the Department of Education at least 15 days prior to the date of
 118.10 first payment of state aid for the fiscal year.

118.11 ~~(i)~~ (h) State aid entitlements shall be computed for a charter school only for the
 118.12 portion of a school year for which it has a valid, signed contract under section 124D.10,
 118.13 subdivision 6.

118.14 Sec. 13. **REVISOR'S INSTRUCTION.**

118.15 The revisor of statutes shall renumber the provisions of Minnesota Statutes listed
 118.16 in column A to the references listed in column B. The revisor of statutes may alter the
 118.17 renumbering to incorporate statutory changes made during the 2015 regular legislative
 118.18 session. The revisor shall also make necessary cross-reference changes in Minnesota
 118.19 Statutes and Minnesota Rules consistent with the renumbering in this instruction and the
 118.20 relettering of paragraphs in sections 1 to 12.

<u>Column A</u>	<u>Column B</u>
118.21 <u>124D.10, subd. 1, paragraph (a)</u>	<u>124E.01, subd. 1</u>
118.22 <u>124D.10, subd. 1, paragraph (b)</u>	<u>124E.06, subd. 3, paragraph (d)</u>
118.23 <u>124D.10, subd. 1, paragraph (c)</u>	<u>124E.06, subd. 1, paragraph (b)</u>
118.24 <u>124D.10, subd. 2</u>	<u>124E.01, subd. 2</u>
118.25 <u>124D.10, subd. 3, paragraph (a)</u>	<u>124E.02, paragraph (a)</u>
118.26 <u>124D.10, subd. 3, paragraph (b)</u>	<u>124E.05, subd. 1</u>
118.27 <u>124D.10, subd. 3, paragraph (c)</u>	<u>124E.05, subd. 2, paragraph (a)</u>
118.28 <u>124D.10, subd. 3, paragraph (d)</u>	<u>124E.05, subd. 3, paragraph (a)</u>
118.29 <u>124D.10, subd. 3, paragraph (e)</u>	<u>124E.05, subd. 4</u>
118.30 <u>124D.10, subd. 3, paragraph (f)</u>	<u>124E.05, subd. 3, paragraph (b)</u>
118.31 <u>124D.10, subd. 3, paragraph (g)</u>	<u>124E.05, subd. 7</u>
118.32 <u>124D.10, subd. 3, paragraph (h)</u>	<u>124E.05, subd. 2, paragraph (b)</u>
118.33 <u>124D.10, subd. 3, paragraph (i)</u>	<u>124E.05, subd. 5</u>
118.34 <u>124D.10, subd. 3, paragraph (j)</u>	<u>124E.05, subd. 6, paragraph (a)</u>
118.35 <u>124D.10, subd. 3, paragraph (k)</u>	<u>124E.05, subd. 6, paragraph (b)</u>
118.36 <u>124D.10, subd. 4, paragraph (a)</u>	<u>124E.06, subd. 1, paragraph (a)</u>
118.37 <u>124D.10, subd. 4, paragraph (b)</u>	<u>124E.06, subd. 2, paragraph (a)</u>

119.1	<u>124D.10, subd. 4, paragraph (c)</u>	<u>124E.06, subd. 2, paragraph (c)</u>
119.2	<u>124D.10, subd. 4, paragraph (d)</u>	<u>124E.06, subd. 4</u>
119.3	<u>124D.10, subd. 4, paragraph (e)</u>	<u>124E.06, subd. 3, paragraph (g)</u>
119.4	<u>124D.10, subd. 4, paragraph (f)</u>	<u>124E.06, subd. 2, paragraph (b)</u>
119.5	<u>124D.10, subd. 4, paragraph (g)</u>	<u>124E.07, subd. 1</u>
119.6	<u>124D.10, subd. 4, paragraph (h)</u>	<u>124E.07, subd. 5</u>
119.7	<u>124D.10, subd. 4, paragraph (i)</u>	<u>124E.07, subd. 8, paragraph (a)</u>
119.8	<u>124D.10, subd. 4, paragraph (j)</u>	<u>124E.07, subd. 8, paragraph (b)</u>
119.9	<u>124D.10, subd. 4, paragraph (k)</u>	<u>124E.17, subd. 2</u>
119.10	<u>124D.10, subd. 4, paragraph (l)</u>	<u>124E.07, subd. 7</u>
119.11	<u>124D.10, subd. 4, paragraph (m)</u>	<u>124E.07, subd. 2</u>
119.12	<u>124D.10, subd. 4, paragraph (n)</u>	<u>124E.07, subd. 3, paragraph (a)</u>
119.13	<u>124D.10, subd. 4, paragraph (o)</u>	<u>124E.07, subd. 4</u>
119.14	<u>124D.10, subd. 4, paragraph (p)</u>	<u>124E.10, subd. 2, paragraph (c)</u>
119.15	<u>124D.10, subd. 4, paragraph (q)</u>	<u>124E.10, subd. 2, paragraph (b)</u>
119.16	<u>124D.10, subd. 4, paragraph (r)</u>	<u>124E.10, subd. 2, paragraph (a)</u>
119.17	<u>124D.10, subd. 4, paragraph (s)</u>	<u>124E.06, subd. 5, paragraph (a)</u>
119.18	<u>124D.10, subd. 4, paragraph (t)</u>	<u>124E.06, subd. 5, paragraph (b)</u>
119.19	<u>124D.10, subd. 4a, paragraph (a)</u>	<u>124E.07, subd. 3, paragraph (b)</u>
119.20	<u>124D.10, subd. 4a, paragraph (b)</u>	<u>124E.14, paragraph (a)</u>
119.21	<u>124D.10, subd. 4a, paragraph (c)</u>	<u>124E.07, subd. 3, paragraph (c)</u>
119.22	<u>124D.10, subd. 4a, paragraph (d)</u>	<u>124E.07, subd. 3, paragraph (d)</u>
119.23	<u>124D.10, subd. 4a, paragraph (e)</u>	<u>124E.14, paragraph (b)</u>
119.24	<u>124D.10, subd. 4a, paragraph (f)</u>	<u>124E.14, paragraph (c)</u>
119.25	<u>124D.10, subd. 5</u>	<u>124E.06, subd. 6</u>
119.26	<u>124D.10, subd. 6</u>	<u>124E.10, subd. 1, paragraph (a)</u>
119.27	<u>124D.10, subd. 6a</u>	<u>124E.16, subd. 1, paragraphs (b) to</u>
119.28		<u>(e)</u>
119.29	<u>124D.10, subd. 7</u>	<u>124E.03, subd. 1</u>
119.30	<u>124D.10, subd. 8, paragraph (a)</u>	<u>124E.03, subd. 2, paragraph (a)</u>
119.31	<u>124D.10, subd. 8, paragraph (b)</u>	<u>124E.03, subd. 2, paragraph (b)</u>
119.32	<u>124D.10, subd. 8, paragraph (c)</u>	<u>124E.06, subd. 3, paragraph (e)</u>
119.33	<u>124D.10, subd. 8, paragraph (d)</u>	<u>124E.06, subd. 3, paragraph (b)</u>
119.34	<u>124D.10, subd. 8, paragraph (e)</u>	<u>124E.03, subd. 4, paragraph (a)</u>
119.35	<u>124D.10, subd. 8, paragraph (f)</u>	<u>124E.06, subd. 3, paragraph (c)</u>
119.36	<u>124D.10, subd. 8, paragraph (g)</u>	<u>124E.06, subd. 3, paragraph (a)</u>
119.37	<u>124D.10, subd. 8, paragraph (h)</u>	<u>124E.06, subd. 3, paragraph (f)</u>
119.38	<u>124D.10, subd. 8, paragraph (i)</u>	<u>124E.03, subd. 4, paragraph (b)</u>
119.39	<u>124D.10, subd. 8, paragraph (j)</u>	<u>124E.11, paragraph (g)</u>
119.40	<u>124D.10, subd. 8, paragraph (k)</u>	<u>124E.03, subd. 2, paragraph (c)</u>
119.41	<u>124D.10, subd. 8, paragraph (l)</u>	<u>124E.16, subd. 1, paragraph (a)</u>
119.42	<u>124D.10, subd. 8, paragraph (m)</u>	<u>124E.03, subd. 2, paragraph (d)</u>
119.43	<u>124D.10, subd. 8, paragraph (n)</u>	<u>124E.03, subd. 5, paragraph (a)</u>
119.44	<u>124D.10, subd. 8, paragraph (o)</u>	<u>124E.03, subd. 2, paragraph (e)</u>

120.1	<u>124D.10, subd. 8, paragraph (p)</u>	<u>124E.03, subd. 7, paragraph (a)</u>
120.2	<u>124D.10, subd. 8, paragraph (q)</u>	<u>124E.03, subd. 2, paragraph (f)</u>
120.3	<u>124D.10, subd. 8, paragraph (r)</u>	<u>124E.03, subd. 5, paragraph (b)</u>
120.4	<u>124D.10, subd. 8, paragraph (s)</u>	<u>124E.03, subd. 7, paragraph (b)</u>
120.5	<u>124D.10, subd. 8, paragraph (t)</u>	<u>124E.03, subd. 7, paragraph (c)</u>
120.6	<u>124D.10, subd. 8, paragraph (u)</u>	<u>124E.03, subd. 2, paragraph (g)</u>
120.7	<u>124D.10, subd. 8, paragraph (v)</u>	<u>124E.03, subd. 2, paragraph (h)</u>
120.8	<u>124D.10, subd. 8, paragraph (w)</u>	<u>124E.03, subd. 2, paragraph (i)</u>
120.9	<u>124D.10, subd. 8, paragraph (x)</u>	<u>124E.03, subd. 4, paragraph (c)</u>
120.10	<u>124D.10, subd. 8, paragraph (y)</u>	<u>124E.15, paragraph (a)</u>
120.11	<u>124D.10, subd. 8a</u>	<u>124E.25, subd. 3, paragraph (a)</u>
120.12	<u>124D.10, subd. 8b</u>	<u>124E.25, subd. 3, paragraph (b)</u>
120.13	<u>124D.10, subd. 9</u>	<u>124E.11, paragraphs (a) to (f)</u>
120.14	<u>124D.10, subd. 10</u>	<u>124E.10, subd. 1, paragraph (b)</u>
120.15	<u>124D.10, subd. 11, paragraph (a)</u>	<u>124E.12, subd. 1</u>
120.16	<u>124D.10, subd. 11, paragraph (b)</u>	<u>124E.12, subd. 2</u>
120.17	<u>124D.10, subd. 11, paragraph (c)</u>	<u>124E.07, subd. 6</u>
120.18	<u>124D.10, subd. 11, paragraph (d)</u>	<u>124E.12, subd. 5</u>
120.19	<u>124D.10, subd. 12</u>	<u>124E.03, subd. 3</u>
120.20	<u>124D.10, subd. 13</u>	<u>124E.03, subd. 6</u>
120.21	<u>124D.10, subd. 14</u>	<u>124E.16, subd. 2</u>
120.22	<u>124D.10, subd. 15, paragraphs (a)</u>	<u>124E.10, subd. 3, paragraphs (a) to</u>
120.23	<u>to (e)</u>	<u>(e)</u>
120.24	<u>124D.10, subd. 15, paragraph (f)</u>	<u>124E.05, subd. 8</u>
120.25	<u>124D.10, subd. 16</u>	<u>124E.15, paragraphs (b) to (d)</u>
120.26	<u>124D.10, subd. 17</u>	<u>124E.13, subd. 1</u>
120.27	<u>124D.10, subd. 17a</u>	<u>124E.13, subd. 3</u>
120.28	<u>124D.10, subd. 17b</u>	<u>124E.13, subd. 4</u>
120.29	<u>124D.10, subd. 19</u>	<u>124E.17, subd. 1</u>
120.30	<u>124D.10, subd. 20</u>	<u>124E.12, subd. 6</u>
120.31	<u>124D.10, subd. 21</u>	<u>124E.12, subd. 3</u>
120.32	<u>124D.10, subd. 22</u>	<u>124E.12, subd. 4</u>
120.33	<u>124D.10, subd. 23, paragraphs (a)</u>	<u>124E.10, subd. 4, paragraphs (a) and</u>
120.34	<u>and (b)</u>	<u>(b)</u>
120.35	<u>124D.10, subd. 23, paragraph (c)</u>	<u>124E.10, subd. 5</u>
120.36	<u>124D.10, subd. 23, paragraph (d)</u>	<u>124E.10, subd. 4, paragraph (c)</u>
120.37	<u>124D.10, subd. 23a, paragraph (a)</u>	<u>124E.13, subd. 2, paragraph (a)</u>
120.38	<u>124D.10, subd. 23a, paragraph (b)</u>	<u>124E.02, paragraph (b)</u>
120.39	<u>124D.10, subd. 23a, paragraph (c)</u>	<u>124E.13, subd. 2, paragraph (b)</u>
120.40	<u>124D.10, subd. 23a, paragraph (d)</u>	<u>124E.13, subd. 2, paragraph (c)</u>
120.41	<u>124D.10, subd. 24</u>	<u>124E.10, subd. 6</u>
120.42	<u>124D.10, subd. 25</u>	<u>124E.09</u>
120.43	<u>124D.10, subd. 27</u>	<u>124E.08</u>
120.44	<u>124D.11, subd. 1</u>	<u>124E.20, subd. 1</u>

122.1 (2) satisfactorily complete an interpreter/transliterators training program affiliated
122.2 with an accredited educational institution.

122.3 (b) New graduates of an interpreter/transliterators program affiliated with an
122.4 accredited education institution shall be granted a two-year provisional certificate by
122.5 the commissioner. During the two-year provisional period, the interpreter/transliterators
122.6 must develop and implement an education plan in collaboration with a mentor under
122.7 paragraph (c).

122.8 (c) A mentor of a provisionally certified interpreter/transliterators must be an
122.9 interpreter/transliterators who has either NAD level IV or V certification or RID
122.10 certified interpreter and certified transliterators certification and have at least three
122.11 years interpreting/transliterating experience in any educational setting. The mentor, in
122.12 collaboration with the provisionally certified interpreter/transliterators, shall develop and
122.13 implement an education plan designed to meet the requirements of paragraph (a), clause
122.14 (1), and include a weekly on-site mentoring process.

122.15 (d) Consistent with the requirements of this paragraph, a person holding a
122.16 provisional certificate may apply to the commissioner for one time-limited extension.
122.17 The commissioner, in consultation with the Commission of Deaf, DeafBlind and
122.18 Hard-of-Hearing Minnesotans, must grant the person a time-limited extension of the
122.19 provisional certificate based on the following documentation:

122.20 (1) letters of support from the person's mentor, a parent of a pupil the person serves,
122.21 the special education director of the district in which the person is employed, and a
122.22 representative from the regional service center of the deaf and hard-of-hearing;

122.23 (2) records of the person's formal education, training, experience, and progress on
122.24 the person's education plan; and

122.25 (3) an explanation of why the extension is needed.

122.26 As a condition of receiving the extension, the person must comply with a plan
122.27 and the accompanying time line for meeting the requirements of this subdivision. A
122.28 committee composed of the ~~director of the Minnesota Resource Center Serving Deaf and~~
122.29 ~~Hard-of-Hearing, or the director's designee~~ deaf and hard-of-hearing state specialist, a
122.30 representative of the Minnesota Association of Deaf Citizens, a representative of the
122.31 Minnesota Registry of Interpreters of the Deaf, and other appropriate persons selected
122.32 by the commissioner must develop the plan and time line for the person receiving the
122.33 extension.

122.34 (e) A school district may employ only an interpreter/transliterators who has been
122.35 certified under paragraph (a) or (b), or for whom a time-limited extension has been
122.36 granted under paragraph (d).

123.1 Sec. 2. Minnesota Statutes 2014, section 122A.31, subdivision 2, is amended to read:

123.2 Subd. 2. **Oral or cued speech transliterators.** (a) In addition to any other
123.3 requirements that a school district establishes, any person employed to provide oral
123.4 transliterating or cued speech transliterating services on a full-time or part-time basis for a
123.5 school district after July 1, 2000, must hold a current applicable transliterator certificate
123.6 awarded by the national certifying association or comparable state certification from
123.7 the commissioner of education.

123.8 (b) To provide oral or cued speech transliterator services on a full-time or part-time
123.9 basis, a person employed in a school district must comply with paragraph (a). The
123.10 commissioner shall grant a nonrenewable, two-year certificate to a school district on behalf
123.11 of a person who has not yet attained a current applicable transliterator certificate under
123.12 paragraph (a). A person for whom a nonrenewable, two-year certificate is issued must
123.13 work under the direction of a licensed teacher who is skilled in language development
123.14 of individuals who are deaf or hard-of-hearing. A person for whom a nonrenewable,
123.15 two-year certificate is issued also must enroll in a state-approved training program and
123.16 demonstrate progress towards the certification required under paragraph (a) sufficient for
123.17 the person to be certified at the end of the two-year period.

123.18 (c) Consistent with the requirements of this paragraph, a person holding a
123.19 provisional certificate may apply to the commissioner for one time-limited extension. The
123.20 commissioner, in consultation with the Commission Serving Deaf and Hard-of-Hearing
123.21 People, must grant the person a time-limited extension of the provisional certificate based
123.22 on the following documentation:

123.23 (1) letters of support from the person's mentor, a parent of a pupil the person serves,
123.24 the special education director of the district in which the person is employed, and a
123.25 representative from the regional service center of the deaf and hard-of-hearing;

123.26 (2) records of the person's formal education, training, experience, and progress on
123.27 the person's education plan; and

123.28 (3) an explanation of why the extension is needed.

123.29 As a condition of receiving the extension, the person must comply with a plan
123.30 and the accompanying time line for meeting the requirements of this subdivision. A
123.31 committee composed of the ~~director of the Minnesota Resource Center Serving Deaf and~~
123.32 ~~Hard-of-Hearing, or the director's designee~~ deaf and hard-of-hearing state specialist, a
123.33 representative of the Minnesota Association of Deaf Citizens, a representative of the
123.34 Minnesota Registry of Interpreters of the Deaf, and other appropriate persons selected
123.35 by the commissioner must develop the plan and time line for the person receiving the
123.36 extension.

124.1 Sec. 3. Minnesota Statutes 2014, section 123B.88, subdivision 1, is amended to read:

124.2 Subdivision 1. **Providing transportation.** The board may provide for the
124.3 transportation of pupils to and from school and for any other purpose. The board may
124.4 also provide for the transportation of pupils to schools in other districts for grades and
124.5 departments not maintained in the district, including high school, at the expense of the
124.6 district, when funds are available therefor and if agreeable to the district to which it is
124.7 proposed to transport the pupils, for the whole or a part of the school year, as it may
124.8 deem advisable, and subject to its rules. In any district, the board must arrange for the
124.9 attendance of all pupils living two miles or more from the school, except pupils whose
124.10 transportation privileges have been voluntarily surrendered under subdivision 2, or
124.11 whose privileges have been revoked under section 123B.91, subdivision 1, clause (6), or
124.12 123B.90, subdivision 2. The district may provide for the transportation of or the boarding
124.13 and rooming of the pupils who may be more economically and conveniently provided for
124.14 by that means. Arrangements for attendance may include a requirement that parents or
124.15 guardians request transportation before it is provided. The board must provide necessary
124.16 transportation to and from the home of, consistent with section 123B.92, subdivision 1,
124.17 paragraph (b), clause (4), for a child with a disability not yet enrolled in kindergarten
124.18 when for the provision of special instruction and services under sections 125A.03 to
124.19 125A.24, 125A.26 to 125A.48, and 125A.65 are provided in a location other than in
124.20 the child's home. Special instruction and services for a child with a disability not yet
124.21 enrolled in kindergarten include an individualized education program team placement
124.22 in an early childhood program when that placement is necessary to address the child's
124.23 level of functioning and needs. When transportation is provided, scheduling of routes,
124.24 establishment of the location of bus stops, manner and method of transportation, control
124.25 and discipline of school children, the determination of fees, and any other matter relating
124.26 thereto must be within the sole discretion, control, and management of the board. The
124.27 district may provide for the transportation of pupils or expend a reasonable amount
124.28 for room and board of pupils whose attendance at school can more economically and
124.29 conveniently be provided for by that means or who attend school in a building rented or
124.30 leased by a district within the confines of an adjacent district.

124.31 Sec. 4. Minnesota Statutes 2014, section 125A.01, is amended to read:

124.32 **125A.01 DEFINITIONS.**

124.33 Subdivision 1. **General application.** For purposes of this chapter, the words defined
124.34 in section 120A.05 have the same meaning.

125.1 Subd. 2. **Dyslexia.** "Dyslexia" means a specific learning disability that is
125.2 neurological in origin. It is characterized by difficulties with accurate or fluent recognition
125.3 of words and by poor spelling and decoding abilities. These difficulties typically result
125.4 from a deficit in the phonological component of language that is often unexpected in
125.5 relation to other cognitive abilities and the provision of effective classroom instruction.
125.6 Secondary consequences may include problems in reading comprehension and reduced
125.7 reading experience that can impede the growth of vocabulary and background knowledge.
125.8 Students who have a dyslexia diagnosis must meet the state and federal eligibility
125.9 criteria in order to qualify for special education services.

125.10 Sec. 5. Minnesota Statutes 2014, section 125A.023, subdivision 3, is amended to read:

125.11 **Subd. 3. Definitions.** For purposes of this section and section 125A.027, the
125.12 following terms have the meanings given them:

125.13 (a) "Health plan" means:

125.14 (1) a health plan under section 62Q.01, subdivision 3;

125.15 (2) a county-based purchasing plan under section 256B.692;

125.16 (3) a self-insured health plan established by a local government under section
125.17 471.617; or

125.18 (4) self-insured health coverage provided by the state to its employees or retirees.

125.19 (b) For purposes of this section, "health plan company" means an entity that issues
125.20 a health plan as defined in paragraph (a).

125.21 (c) "Interagency intervention service system" means a system that coordinates
125.22 services and programs required in state and federal law to meet the needs of eligible
125.23 children with disabilities ages birth through 21, including:

125.24 (1) services provided under the following programs or initiatives administered
125.25 by state or local agencies:

125.26 (i) the maternal and child health program under title V of the Social Security Act;

125.27 (ii) the Minnesota children with special health needs program under sections 144.05
125.28 and 144.07;

125.29 (iii) the Individuals with Disabilities Education Act, Part B, section 619, and Part
125.30 C as amended;

125.31 (iv) medical assistance under title 42, chapter 7, of the Social Security Act;

125.32 (v) developmental disabilities services under chapter 256B;

125.33 (vi) the Head Start Act under title 42, chapter 105, of the Social Security Act;

125.34 (vii) vocational rehabilitation services provided under chapters 248 and 268A and
125.35 the Rehabilitation Act of 1973;

- 126.1 (viii) Juvenile Court Act services provided under sections 260.011 to 260.91;
126.2 260B.001 to 260B.446; and 260C.001 to 260C.451;
- 126.3 (ix) Minnesota Comprehensive Children's Mental Health Act under section 245.487;
126.4 (x) the community health services grants under sections 145.88 to 145.9266;
126.5 (xi) the Local Public Health Act under chapter 145A; and
126.6 (xii) the Vulnerable Children and Adults Act, sections 256M.60 to 256M.80;
- 126.7 (2) service provision and funding that can be coordinated through:
126.8 (i) the children's mental health collaborative under section 245.493;
126.9 (ii) the family services collaborative under section 124D.23;
126.10 (iii) the community transition interagency committees under section 125A.22; and
126.11 (iv) the interagency early intervention committees under section 125A.259;
- 126.12 (3) financial and other funding programs to be coordinated including medical
126.13 assistance under title 42, chapter 7, of the Social Security Act, the MinnesotaCare program
126.14 under chapter 256L, Supplemental Social Security Income, Developmental Disabilities
126.15 Assistance, and any other employment-related activities associated with the Social
126.16 Security Administration; and services provided under a health plan in conformity with an
126.17 individual family service plan or an individualized education program or an individual
126.18 interagency intervention plan; and
- 126.19 (4) additional appropriate services that local agencies and counties provide on
126.20 an individual need basis upon determining eligibility and receiving a request from (i)
126.21 the ~~interagency early intervention committee~~ school board or county board and (ii) the
126.22 child's parent.
- 126.23 (d) "Children with disabilities" has the meaning given in section 125A.02.
126.24 (e) A "standardized written plan" means those individual services or programs, with
126.25 accompanying funding sources, available through the interagency intervention service
126.26 system to an eligible child other than the services or programs described in the child's
126.27 individualized education program or the child's individual family service plan.

126.28 Sec. 6. Minnesota Statutes 2014, section 125A.023, subdivision 4, is amended to read:

126.29 Subd. 4. **State Interagency Committee.** (a) The commissioner of education, on
126.30 behalf of the governor, shall convene an interagency committee to develop and implement
126.31 a coordinated, multidisciplinary, interagency intervention service system for children ages
126.32 three to 21 with disabilities. The commissioners of commerce, education, health, human
126.33 rights, human services, employment and economic development, and corrections shall
126.34 each appoint two committee members from their departments; and the Association of
126.35 Minnesota Counties, Minnesota School Boards Association, the Minnesota Administrators

127.1 of Special Education, and the School Nurse Association of Minnesota shall each appoint
 127.2 one committee member. The committee shall select a chair from among its members.

127.3 (b) The committee shall:

127.4 (1) identify and assist in removing state and federal barriers to local coordination of
 127.5 services provided to children with disabilities;

127.6 (2) identify adequate, equitable, and flexible funding sources to streamline these
 127.7 services;

127.8 (3) develop guidelines for implementing policies that ensure a comprehensive and
 127.9 coordinated system of all state and local agency services, including multidisciplinary
 127.10 assessment practices for children with disabilities ages three to 21, including:

127.11 (i) develop, consistent with federal law, a standardized written plan for providing
 127.12 services to a child with disabilities;

127.13 (ii) identify how current systems for dispute resolution can be coordinated;

127.14 (iii) develop an evaluation process to measure the success of state and local
 127.15 interagency efforts in improving the quality and coordination of services to children with
 127.16 disabilities ages three to 21; and

127.17 (iv) develop guidelines to assist the governing boards of the interagency early
 127.18 intervention committees in carrying out the duties assigned in section 125A.027,
 127.19 subdivision 1, paragraph (b); and

127.20 (4) carry out other duties necessary to develop and implement within communities
 127.21 a coordinated, multidisciplinary, interagency intervention service system for children
 127.22 with disabilities.

127.23 (c) The committee shall consult on an ongoing basis with the state Special Education
 127.24 Advisory Panel and the governor's Interagency Coordinating Council in carrying out
 127.25 its duties under this section, including assisting the governing school boards of the
 127.26 interagency early intervention committees and county boards.

127.27 Sec. 7. Minnesota Statutes 2014, section 125A.027, is amended to read:

127.28 **125A.027 INTERAGENCY EARLY INTERVENTION COMMITTEE**
 127.29 **RESPONSIBILITIES LOCAL AGENCY COORDINATION RESPONSIBILITIES.**

127.30 Subdivision 1. **Additional duties School board and county board responsibilities.**

127.31 **(a) It is the joint responsibility of school and county boards to coordinate, provide, and**
 127.32 **pay for appropriate services and to facilitate payment for services from public and private**
 127.33 **sources. Appropriate services for children eligible under section 125A.02 and receiving**
 127.34 **services from two or more public agencies of which one is the public school must be**
 127.35 **determined in consultation with parents, physicians, and other education, medical health,**

128.1 and human services providers. The services provided must conform with a standardized
128.2 written plan for each eligible child ages three to 21.

128.3 (b) Appropriate services include those services listed on a child's standardized
128.4 written plan. These services are those that are required to be documented on a plan under
128.5 federal and state law or rule.

128.6 (c) School and county boards shall coordinate interagency services. Service
128.7 responsibilities for eligible children, ages three to 21, may be established in interagency
128.8 agreements or joint powers board agreements. In addition, interagency agreements or
128.9 joint powers board agreements may be developed to establish agency responsibility that
128.10 ensures that coordinated interagency services are coordinated, provided, and paid for and
128.11 that payment is facilitated from public and private sources. School boards must provide,
128.12 pay for, and facilitate payment for special education services as required under sections
128.13 125A.03 and 125A.06. County boards must provide, pay for, and facilitate payment for
128.14 those programs over which they have service and fiscal responsibility as referenced in
128.15 section 125A.023, subdivision 3, paragraph (c), clause (1).

128.16 Subd. 1a. **Local governance structure.** (a) The governing school boards of
128.17 the interagency early intervention committees and county boards are responsible for
128.18 developing and implementing interagency policies and procedures to coordinate services
128.19 at the local level for children with disabilities ages three to 21 under guidelines established
128.20 by the state interagency committee under section 125A.023, subdivision 4. Consistent
128.21 with the requirements in this section and section 125A.023, the governing school boards
128.22 of the interagency early intervention committees and county boards may organize as a
128.23 joint powers board under section 471.59 or enter into an interagency agreement that
128.24 establishes a governance structure.

128.25 (b) The governing board of each interagency early intervention committee as defined
128.26 in section 125A.30, paragraph (a), which may include a juvenile justice professional, shall:

128.27 (1) identify state and federal barriers to local coordination of services provided to
128.28 children with disabilities;

128.29 (2) implement policies that ensure a comprehensive and coordinated system of all
128.30 state and local agency services, including practices on multidisciplinary assessment,
128.31 standardized written plans, dispute resolution, and system evaluation for children with
128.32 disabilities ages three to 21;

128.33 (3) coordinate services and facilitate payment for services from public and private
128.34 institutions, agencies, and health plan companies; and

128.35 (4) share needed information consistent with state and federal data practices
128.36 requirements.

129.1 Subd. 2. **Appropriate and necessary services.** (a) Parents, physicians, other health
129.2 care professionals including school nurses, and education and human services providers
129.3 jointly must determine appropriate and necessary services for eligible children with
129.4 disabilities ages three to 21. The services provided to the child under this section must
129.5 conform with the child's standardized written plan. The ~~governing school board of an~~
129.6 ~~interagency early intervention committee~~ or county board must provide those services
129.7 contained in a child's individualized education program and those services for which
129.8 a legal obligation exists.

129.9 (b) Nothing in this section or section 125A.023 increases or decreases the obligation
129.10 of the state, county, regional agency, local school district, or local agency or organization
129.11 to pay for education, health care, or social services.

129.12 (c) A health plan may not exclude any medically necessary covered service solely
129.13 because the service is or could be identified in a child's individual family service plan,
129.14 individualized education program, a plan established under section 504 of the federal
129.15 Rehabilitation Act of 1973, or a student's individual health plan. This paragraph reaffirms
129.16 the obligation of a health plan company to provide or pay for certain medically necessary
129.17 covered services, and encourages a health plan company to coordinate this care with any
129.18 other providers of similar services. Also, a health plan company may not exclude from a
129.19 health plan any medically necessary covered service such as an assessment or physical
129.20 examination solely because the resulting information may be used for an individualized
129.21 education program or a standardized written plan.

129.22 ~~Subd. 4. **Responsibilities of school and county boards.** (a) It is the joint~~
129.23 ~~responsibility of school and county boards to coordinate, provide, and pay for appropriate~~
129.24 ~~services, and to facilitate payment for services from public and private sources.~~
129.25 ~~Appropriate service for children eligible under section 125A.02 and receiving service~~
129.26 ~~from two or more public agencies of which one is the public school must be determined in~~
129.27 ~~consultation with parents, physicians, and other education, medical health, and human~~
129.28 ~~services providers. The services provided must be in conformity with a standardized~~
129.29 ~~written plan for each eligible child ages 3 to 21.~~

129.30 (b) ~~Appropriate services include those services listed on a child's standardized~~
129.31 ~~written plan. These services are those that are required to be documented on a plan under~~
129.32 ~~federal and state law or rule.~~

129.33 (c) ~~School and county boards shall coordinate interagency services. Service~~
129.34 ~~responsibilities for eligible children, ages 3 to 21, may be established in interagency~~
129.35 ~~agreements or joint powers board agreements. In addition, interagency agreements or joint~~
129.36 ~~powers board agreements may be developed to establish agency responsibility that assures~~

130.1 ~~that coordinated interagency services are coordinated, provided, and paid for, and that~~
130.2 ~~payment is facilitated from public and private sources. School boards must provide,~~
130.3 ~~pay for, and facilitate payment for special education services as required under sections~~
130.4 ~~125A.03 and 125A.06. County boards must provide, pay for, and facilitate payment for~~
130.5 ~~those programs over which they have service and fiscal responsibility as referenced in~~
130.6 ~~section 125A.023, subdivision 3, paragraph (c), clause (1).~~

130.7 Sec. 8. Minnesota Statutes 2014, section 125A.08, is amended to read:

130.8 **125A.08 INDIVIDUALIZED EDUCATION PROGRAMS.**

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

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

130.12 (1) all students with disabilities are provided the special instruction and services
130.13 which are appropriate to their needs. Where the individualized education program team
130.14 has determined appropriate goals and objectives based on the student's needs, including
130.15 the extent to which the student can be included in the least restrictive environment,
130.16 and where there are essentially equivalent and effective instruction, related services, or
130.17 assistive technology devices available to meet the student's needs, cost to the district may
130.18 be among the factors considered by the team in choosing how to provide the appropriate
130.19 services, instruction, or devices that are to be made part of the student's individualized
130.20 education program. The individualized education program team shall consider and
130.21 may authorize services covered by medical assistance according to section 256B.0625,
130.22 subdivision 26. The student's needs and the special education instruction and services to
130.23 be provided must be agreed upon through the development of an individualized education
130.24 program. The program must address the student's need to develop skills to live and
130.25 work as independently as possible within the community. The individualized education
130.26 program team must consider positive behavioral interventions, strategies, and supports
130.27 that address behavior needs for children with ~~attention deficit disorder or attention deficit~~
130.28 ~~hyperactivity disorder~~. During grade 9, the program must address the student's needs for
130.29 transition from secondary services to postsecondary education and training, employment,
130.30 community participation, recreation, and leisure and home living. In developing the
130.31 program, districts must inform parents of the full range of transitional goals and related
130.32 services that should be considered. The program must include a statement of the needed
130.33 transition services, including a statement of the interagency responsibilities or linkages or
130.34 both before secondary services are concluded;

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

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

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

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

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

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

131.22 (c) For all paraprofessionals employed to work in programs ~~for~~ whose role in part
131.23 is to provide direct support to students with disabilities, the school board in each district
131.24 shall ensure that:

131.25 (1) before or ~~immediately upon~~ beginning at the time of employment, each
131.26 paraprofessional ~~develops~~ must develop sufficient knowledge and skills in emergency
131.27 procedures, building orientation, roles and responsibilities, confidentiality, vulnerability,
131.28 and reportability, among other things, to begin meeting the needs, especially
131.29 disability-specific and behavioral needs, of the students with whom the paraprofessional
131.30 works;

131.31 (2) annual training opportunities are ~~available~~ required to enable the paraprofessional
131.32 to continue to further develop the knowledge and skills that are specific to the students
131.33 with whom the paraprofessional works, including understanding disabilities, the unique
131.34 and individual needs of each student according to the student's disability and how the
131.35 disability affects the student's education and behavior, following lesson plans, and
131.36 implementing follow-up instructional procedures and activities; and

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

132.4 Sec. 9. **[125A.083] STUDENT INFORMATION SYSTEMS; TRANSFERRING**
 132.5 **RECORDS.**

132.6 To efficiently and effectively meet federal and state compliance and accountability
 132.7 requirements using an online case management reporting system, school districts may
 132.8 contract only with a student information system vendor employing a universal filing
 132.9 system that is compatible with the online system for compliance reporting under section
 132.10 125A.085 beginning in the 2018-2019 school year and later. A district's universal
 132.11 filing system under this section must facilitate the seamless transfer of student records
 132.12 for a student with disabilities who transfers between school districts, including records
 132.13 containing the student's evaluation report, service plan, and other due process forms and
 132.14 information, regardless of what filing system any one district uses.

132.15 **EFFECTIVE DATE.** This section is effective the day following final enactment
 132.16 and applies to all district contracts with student information system vendors entered into
 132.17 or modified after that date.

132.18 Sec. 10. Minnesota Statutes 2014, section 125A.085, is amended to read:

132.19 **125A.085 ONLINE REPORTING OF REQUIRED DATA.**

132.20 (a) To ensure a strong focus on outcomes for children with disabilities informs
 132.21 federal and state compliance and accountability requirements and to increase opportunities
 132.22 for special educators and related-services providers to focus on teaching children with
 132.23 disabilities, the commissioner must customize a streamlined, user-friendly statewide
 132.24 online system, with a single model online form, for effectively and efficiently collecting
 132.25 and reporting required special education-related data to individuals with a legitimate
 132.26 educational interest and who are authorized by law to access the data.

132.27 (b) The commissioner must consult with qualified experts, including information
 132.28 technology specialists, licensed special education teachers and directors of special
 132.29 education, related-services providers, third-party vendors, a designee of the commissioner
 132.30 of human services, parents of children with disabilities, representatives of advocacy groups
 132.31 representing children with disabilities, and representatives of school districts and special
 132.32 education cooperatives on integrating, field testing, customizing, and sustaining this simple,

133.1 easily accessible, efficient, and effective online data system for uniform statewide reporting
133.2 of required due process compliance data. Among other outcomes, the system must:

133.3 (1) reduce special education teachers' paperwork burden and thereby increase the
133.4 teachers' opportunities to focus on teaching children;

133.5 (2) to the extent authorized by chapter 13 or other applicable state or federal law
133.6 governing access to and dissemination of educational records, provide for efficiently
133.7 and effectively transmitting the records of all transferring children with disabilities,
133.8 including highly mobile and homeless children with disabilities, among others, and avoid
133.9 fragmented service delivery;

133.10 (3) address language and other barriers and disparities that prevent parents from
133.11 understanding and communicating information about the needs of their children with
133.12 disabilities; and

133.13 (4) help continuously improve the interface among the online systems serving
133.14 children with disabilities in order to maintain and reinforce the children's ability to learn.

133.15 (c) The commissioner must use the federal Office of Special Education Programs
133.16 model forms for the (1) individualized education program, (2) notice of procedural
133.17 safeguards, and (3) prior written notice that are consistent with Part B of IDEA to integrate
133.18 and customize a state-sponsored universal special education online case management
133.19 system, consistent with the requirements of state law and this section for customizing a
133.20 statewide online reporting system. The commissioner must use a request for proposal
133.21 process to contract for the technology and software needed for customizing the online
133.22 system in order for the system to be fully functional, consistent with the requirements of
133.23 this section. This online system must be made available to school districts without charge
133.24 beginning in the 2015-2016 school year. For the 2015-2016 ~~through 2017-2018~~ school
133.25 years and later, school districts may use this online system or may contract with an outside
133.26 vendor for compliance reporting. ~~Beginning in the 2018-2019 school year and later,~~
133.27 ~~school districts must use this online system for compliance reporting.~~

133.28 (d) All data on individuals maintained in the statewide reporting system are
133.29 classified as provided in chapter 13 or other applicable state or federal law. An authorized
133.30 individual's ability to enter, update, or access data must be limited through the use of
133.31 role-based access codes corresponding to that individual's official duties or training level,
133.32 and the statutory authorization that grants access for a particular purpose. Any action
133.33 in which data in the system are entered, updated, accessed, or shared or disseminated
133.34 outside of the system must be recorded in an audit trail. The audit trail must identify the
133.35 specific user responsible for the action, the date and time the action occurred, and the
133.36 purpose for the action. Data contained in the audit trail maintain the same classification

134.1 as the underlying data affected by the action, provided the responsible authority makes
134.2 the data available to a student or the student's parent upon request, and the responsible
134.3 authority may access the data to audit the system's user activity and security safeguards.
134.4 Before entering data on a student, the responsible authority must provide the student or the
134.5 student's parent written notice of the data practices rights and responsibilities required
134.6 by this section and a reasonable opportunity to refuse consent to have the student's data
134.7 included in the system. Upon receiving the student or the student's parent written refusal
134.8 to consent, the school district must not enter data on that student into the system and must
134.9 delete any existing data on that student currently in the system.

134.10 (e) Consistent with this section, the commissioner must establish a public Internet
134.11 Web interface to provide information to educators, parents, and the public about the form
134.12 and content of required special education reports, to respond to queries from educators,
134.13 parents, and the public about specific aspects of special education reports and reporting,
134.14 and to use the information garnered from the interface to streamline and revise special
134.15 education reporting on the online system under this section. The public Internet Web
134.16 interface must have a prominently linked page describing the rights and responsibilities
134.17 of students and parents whose data are included in the statewide reporting system, and
134.18 include information on the data practices rights of students and parents provided by this
134.19 section and a form students or parents may use to refuse consent to have a student's data
134.20 included in the system. The public Internet Web interface must not provide access to the
134.21 educational records of any individual child.

134.22 (f) The commissioner annually by February 1 must submit to the legislature a report
134.23 on the status, recent changes, and sustainability of the online system under this section.

134.24 Sec. 11. Minnesota Statutes 2014, section 125A.0942, subdivision 3, is amended to read:

134.25 Subd. 3. **Physical holding or seclusion.** (a) Physical holding or seclusion may be
134.26 used only in an emergency. A school that uses physical holding or seclusion shall meet the
134.27 following requirements:

134.28 (1) physical holding or seclusion is the least intrusive intervention that effectively
134.29 responds to the emergency;

134.30 (2) physical holding or seclusion is not used to discipline a noncompliant child;

134.31 (3) physical holding or seclusion ends when the threat of harm ends and the staff
134.32 determines the child can safely return to the classroom or activity;

134.33 (4) staff directly observes the child while physical holding or seclusion is being used;

135.1 (5) each time physical holding or seclusion is used, the staff person who implements
135.2 or oversees the physical holding or seclusion documents, as soon as possible after the
135.3 incident concludes, the following information:

135.4 (i) a description of the incident that led to the physical holding or seclusion;

135.5 (ii) why a less restrictive measure failed or was determined by staff to be
135.6 inappropriate or impractical;

135.7 (iii) the time the physical holding or seclusion began and the time the child was
135.8 released; and

135.9 (iv) a brief record of the child's behavioral and physical status;

135.10 (6) the room used for seclusion must:

135.11 (i) be at least six feet by five feet;

135.12 (ii) be well lit, well ventilated, adequately heated, and clean;

135.13 (iii) have a window that allows staff to directly observe a child in seclusion;

135.14 (iv) have tamperproof fixtures, electrical switches located immediately outside the
135.15 door, and secure ceilings;

135.16 (v) have doors that open out and are unlocked, locked with keyless locks that
135.17 have immediate release mechanisms, or locked with locks that have immediate release
135.18 mechanisms connected with a fire and emergency system; and

135.19 (vi) not contain objects that a child may use to injure the child or others;

135.20 (7) before using a room for seclusion, a school must:

135.21 (i) receive written notice from local authorities that the room and the locking
135.22 mechanisms comply with applicable building, fire, and safety codes; and

135.23 (ii) register the room with the commissioner, who may view that room; and

135.24 (8) until August 1, 2015, a school district may use prone restraints with children
135.25 age five or older if:

135.26 (i) the district has provided to the department a list of staff who have had specific
135.27 training on the use of prone restraints;

135.28 (ii) the district provides information on the type of training that was provided and
135.29 by whom;

135.30 (iii) only staff who received specific training use prone restraints;

135.31 (iv) each incident of the use of prone restraints is reported to the department within
135.32 five working days on a form provided by the department; and

135.33 (v) the district, before using prone restraints, must review any known medical or
135.34 psychological limitations that contraindicate the use of prone restraints.

135.35 The department must collect data on districts' use of prone restraints and publish the data
135.36 in a readily accessible format on the department's Web site on a quarterly basis.

136.1 (b) By February 1, 2015, and annually thereafter, stakeholders ~~must~~ may, as
 136.2 necessary, recommend to the commissioner specific and measurable implementation and
 136.3 outcome goals for reducing the use of restrictive procedures and the commissioner must
 136.4 submit to the legislature a report on districts' progress in reducing the use of restrictive
 136.5 procedures that recommends how to further reduce these procedures and eliminate
 136.6 the use of prone restraints. The statewide plan includes the following components:
 136.7 measurable goals; the resources, training, technical assistance, mental health services, and
 136.8 collaborative efforts needed to significantly reduce districts' use of prone restraints; and
 136.9 recommendations to clarify and improve the law governing districts' use of restrictive
 136.10 procedures. The commissioner must consult with interested stakeholders when preparing
 136.11 the report, including representatives of advocacy organizations, special education directors,
 136.12 teachers, paraprofessionals, intermediate school districts, school boards, day treatment
 136.13 providers, county social services, state human services department staff, mental health
 136.14 professionals, and autism experts. By June 30 each year, districts must report summary
 136.15 data on their use of restrictive procedures to the department, in a form and manner
 136.16 determined by the commissioner. The summary data must include information about the
 136.17 use of restrictive procedures, including use of reasonable force under section 121A.582.

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

136.19 Sec. 12. Minnesota Statutes 2014, section 125A.21, is amended to read:

136.20 **125A.21 THIRD-PARTY PAYMENT.**

136.21 Subdivision 1. **Obligation to pay.** Nothing in sections 125A.03 to 125A.24 and
 136.22 125A.65 relieves an insurer or similar third party from an otherwise valid obligation to
 136.23 pay, or changes the validity of an obligation to pay, for services rendered to a child with
 136.24 a disability, and the child's family. A school district shall pay the nonfederal share of
 136.25 medical assistance services provided according to section 256B.0625, subdivision 26.
 136.26 Eligible expenditures must not be made from federal funds or funds used to match other
 136.27 federal funds. Any federal disallowances are the responsibility of the school district. A
 136.28 school district may pay or reimburse co-payments, coinsurance, deductibles, and other
 136.29 enrollee cost-sharing amounts, on behalf of the student or family, in connection with
 136.30 health and related services provided under an individual educational plan or individualized
 136.31 family service plan.

136.32 Subd. 2. **Third-party reimbursement.** (a) Beginning July 1, 2000, districts
 136.33 shall seek reimbursement from insurers and similar third parties for the cost of services
 136.34 provided by the district whenever the services provided by the district are otherwise

137.1 covered by the child's health coverage. Districts shall request, but may not require, the
137.2 child's family to provide information about the child's health coverage when a child with a
137.3 disability begins to receive services from the district of a type that may be reimbursable,
137.4 and shall request, but may not require, updated information after that as needed.

137.5 (b) For children enrolled in medical assistance under chapter 256B or MinnesotaCare
137.6 under chapter 256L who have no other health coverage, a district shall provide an initial
137.7 and annual written notice to the enrolled child's parent or legal representative of its intent
137.8 to seek reimbursement from medical assistance or MinnesotaCare for the individualized
137.9 education program or individualized family service plan health-related services provided
137.10 by the district. The initial notice must give the child's parent or legal representative the
137.11 right to request a copy of the child's education records on the health-related services that
137.12 the district provided to the child and disclosed to a third-party payer.

137.13 (c) The district shall give the parent or legal representative annual written notice of:

137.14 (1) the district's intent to seek reimbursement from medical assistance or
137.15 MinnesotaCare for individualized education program or individualized family service plan
137.16 health-related services provided by the district;

137.17 (2) the right of the parent or legal representative to request a copy of all records
137.18 concerning individualized education program or individualized family service plan
137.19 health-related services disclosed by the district to any third party; and

137.20 (3) the right of the parent or legal representative to withdraw consent for disclosure
137.21 of a child's records at any time without consequence.

137.22 The written notice shall be provided as part of the written notice required by Code of
137.23 Federal Regulations, title 34, section 300.504 or 303.520. The district must ensure that the
137.24 parent of a child with a disability is given notice, in understandable language, of federal and
137.25 state procedural safeguards available to the parent under this paragraph and paragraph (b).

137.26 (d) In order to access the private health care coverage of a child who is covered by
137.27 private health care coverage in whole or in part, a district must:

137.28 (1) obtain annual written informed consent from the parent or legal representative, in
137.29 compliance with subdivision 5; and

137.30 (2) inform the parent or legal representative that a refusal to permit the district
137.31 or state Medicaid agency to access their private health care coverage does not relieve
137.32 the district of its responsibility to provide all services necessary to provide free and
137.33 appropriate public education at no cost to the parent or legal representative.

137.34 (e) If the commissioner of human services obtains federal approval to exempt
137.35 covered individualized education program or individualized family service plan
137.36 health-related services from the requirement that private health care coverage refuse

138.1 payment before medical assistance may be billed, paragraphs (b), (c), and (d) shall also
138.2 apply to students with a combination of private health care coverage and health care
138.3 coverage through medical assistance or MinnesotaCare.

138.4 (f) In the event that Congress or any federal agency or the Minnesota legislature
138.5 or any state agency establishes lifetime limits, limits for any health care services,
138.6 cost-sharing provisions, or otherwise provides that individualized education program or
138.7 individualized family service plan health-related services impact benefits for persons
138.8 enrolled in medical assistance or MinnesotaCare, the amendments to this subdivision
138.9 adopted in 2002 are repealed on the effective date of any federal or state law or regulation
138.10 that imposes the limits. In that event, districts must obtain informed consent consistent
138.11 with this subdivision as it existed prior to the 2002 amendments and subdivision 5, before
138.12 seeking reimbursement for children enrolled in medical assistance under chapter 256B or
138.13 MinnesotaCare under chapter 256L who have no other health care coverage.

138.14 Subd. 3. **Use of reimbursements.** Of the reimbursements received, districts may:

138.15 (1) retain an amount sufficient to compensate the district for its administrative costs
138.16 of obtaining reimbursements;

138.17 (2) regularly obtain from education- and health-related entities training and other
138.18 appropriate technical assistance designed to improve the district's ability to access
138.19 third-party payments for individualized education program or individualized family
138.20 service plan health-related services; or

138.21 (3) reallocate reimbursements for the benefit of students with individualized
138.22 education programs or ~~individual~~ individualized family service plans in the district.

138.23 Subd. 4. **Parents not obligated to use health coverage.** To the extent required by
138.24 federal law, a school district may not require parents of children with disabilities, if they
138.25 would incur a financial cost, to use private or public health coverage to pay for the services
138.26 that must be provided under an individualized education program or individualized
138.27 family service plan.

138.28 Subd. 5. **Informed consent.** When obtaining informed consent, consistent with
138.29 sections 13.05, subdivision 4a; 256B.77, subdivision 2, paragraph (p); and Code of
138.30 Federal Regulations, title 34, parts 99 ~~and~~, 300, and 303, to bill health plans for covered
138.31 services, the school district must notify the legal representative (1) that the cost of the
138.32 person's private health insurance premium may increase due to providing the covered
138.33 service in the school setting, (2) that the school district may pay certain enrollee health
138.34 plan costs, including but not limited to, co-payments, coinsurance, deductibles, premium
138.35 increases or other enrollee cost-sharing amounts for health and related services required
138.36 by an individual service plan, or ~~individual~~ individualized family service plan, and (3) that

139.1 the school's billing for each type of covered service may affect service limits and prior
 139.2 authorization thresholds. The informed consent may be revoked in writing at any time
 139.3 by the person authorizing the billing of the health plan.

139.4 Subd. 6. **District obligation to provide service.** To the extent required by federal
 139.5 law, no school district may deny, withhold, or delay any service that must be provided
 139.6 under an individualized education program or individualized family service plan because
 139.7 a family has refused to provide informed consent to bill a health plan for services or a
 139.8 health plan company has refused to pay any, all, or a portion of the cost of services billed.

139.9 Subd. 7. **District disclosure of information.** A school district may disclose
 139.10 information contained in a student's individualized education program, consistent with
 139.11 section 13.32, subdivision 3, paragraph (a), and Code of Federal Regulations, title 34,
 139.12 parts 99 ~~and~~, 300, and 303; including records of the student's diagnosis and treatment, to a
 139.13 health plan company only with the signed and dated consent of the student's parent, or
 139.14 other legally authorized individual. The school district shall disclose only that information
 139.15 necessary for the health plan company to decide matters of coverage and payment. A
 139.16 health plan company may use the information only for making decisions regarding
 139.17 coverage and payment, and for any other use permitted by law.

139.18 Sec. 13. Minnesota Statutes 2014, section 125A.28, is amended to read:

139.19 **125A.28 STATE INTERAGENCY COORDINATING COUNCIL.**

139.20 An Interagency Coordinating Council of at least 17, but not more than 25 members is
 139.21 established, in compliance with Public Law 108-446, section 641. The members must be
 139.22 appointed by the governor and reasonably represent the population of Minnesota. Council
 139.23 members must elect the council chair, who may not be a representative of the Department
 139.24 of Education. The council must be composed of at least five parents, including persons
 139.25 of color, of children with disabilities under age 12, including at least three parents of a
 139.26 child with a disability under age seven, five representatives of public or private providers
 139.27 of services for children with disabilities under age five, including a special education
 139.28 director, county social service director, local Head Start director, and a community health
 139.29 services or public health nursing administrator, one member of the senate, one member of
 139.30 the house of representatives, one representative of teacher preparation programs in early
 139.31 childhood-special education or other preparation programs in early childhood intervention,
 139.32 at least one representative of advocacy organizations for children with disabilities under
 139.33 age five, one physician who cares for young children with special health care needs, one
 139.34 representative each from the commissioners of commerce, education, health, human
 139.35 services, a representative from the state agency responsible for child care, foster care,

140.1 mental health, homeless coordinator of education of homeless children and youth, and a
140.2 representative from Indian health services or a tribal council. Section 15.059, subdivisions
140.3 2 to 4, apply to the council. The council must meet at least quarterly.

140.4 The council must address methods of implementing the state policy of developing
140.5 and implementing comprehensive, coordinated, multidisciplinary interagency programs of
140.6 early intervention services for children with disabilities and their families.

140.7 The duties of the council include recommending policies to ensure a comprehensive
140.8 and coordinated system of all state and local agency services for children under age five
140.9 with disabilities and their families. The policies must address how to incorporate each
140.10 agency's services into a unified state and local system of multidisciplinary assessment
140.11 practices, individual intervention plans, comprehensive systems to find children in need of
140.12 services, methods to improve public awareness, and assistance in determining the role of
140.13 interagency early intervention committees.

140.14 ~~On the date that Minnesota Part C Annual Performance Report is submitted to~~
140.15 Within 30 days of receiving the annual determination from the federal Office of Special
140.16 Education on the Minnesota Part C Annual Performance Report, the council must
140.17 recommend to the governor and the commissioners of education, health, human services,
140.18 commerce, and employment and economic development policies for a comprehensive
140.19 and coordinated system.

140.20 Annually, the council must prepare and submit a report to the governor and the
140.21 secretary of the federal Department of Education on the status of early intervention
140.22 services and programs for infants and toddlers with disabilities and their families under
140.23 the Individuals with Disabilities Education Act, United States Code, title 20, sections
140.24 1471 to 1485 (Part C, Public Law 102-119), as operated in Minnesota. The Minnesota
140.25 Part C annual performance report may serve as the report.

140.26 Notwithstanding any other law to the contrary, the State Interagency Coordinating
140.27 Council does not expire unless federal law no longer requires the existence of the council
140.28 or committee.

140.29 Sec. 14. Minnesota Statutes 2014, section 125A.63, subdivision 2, is amended to read:

140.30 Subd. 2. **Programs.** (a) The resource centers department must offer summer
140.31 institutes or other training programs throughout the state for deaf or hard-of-hearing, blind
140.32 or visually impaired, and multiply disabled pupils. The resource centers department must
140.33 also offer workshops for teachers, and leadership development for teachers.

140.34 ~~A program~~ (b) Training and workshop programs offered ~~through the resource centers~~
140.35 under paragraph (a) must help promote and develop education programs offered by school

141.1 districts or other organizations. The ~~program~~ programs must assist school districts or other
141.2 organizations to develop innovative programs.

141.3 Sec. 15. Minnesota Statutes 2014, section 125A.63, subdivision 3, is amended to read:

141.4 Subd. 3. **Programs by nonprofits.** The ~~resource-centers~~ department may contract
141.5 to have nonprofit organizations provide programs ~~through the resource-centers~~ under
141.6 subdivision 2.

141.7 Sec. 16. Minnesota Statutes 2014, section 125A.63, subdivision 4, is amended to read:

141.8 Subd. 4. **Advisory committees.** (a) The commissioner shall establish ~~an~~ advisory
141.9 ~~committee~~ committees for each ~~resource-center~~ the deaf and hard-of-hearing and for the
141.10 blind and visually impaired. The advisory committees shall develop recommendations
141.11 ~~regarding the resource-centers~~ and submit an annual report to the commissioner on the
141.12 form and in the manner prescribed by the commissioner.

141.13 (b) The advisory ~~committee for the Resource-Center~~ committees for the deaf and
141.14 hard of hearing and for the blind and visually impaired shall meet periodically at least four
141.15 times per year and each submit an annual report to the commissioner, the education policy
141.16 and finance committees of the legislature, and the Commission of Deaf, DeafBlind, and
141.17 ~~Hard-of-Hearing~~ Hard-of-Hearing Minnesotans. The ~~report~~ reports must, at least:

141.18 (1) identify and report the aggregate, data-based education outcomes for children
141.19 with the primary disability classification of deaf and hard of hearing or of blind and
141.20 visually impaired, consistent with the commissioner's child count reporting practices, the
141.21 commissioner's state and local outcome data reporting system by district and region, and
141.22 the school performance report cards under section 120B.36, subdivision 1; and

141.23 (2) describe the implementation of a data-based plan for improving the education
141.24 outcomes of deaf and hard of hearing or blind and visually impaired children that is
141.25 premised on evidence-based best practices, and provide a cost estimate for ongoing
141.26 implementation of the plan.

141.27 Sec. 17. Minnesota Statutes 2014, section 125A.63, subdivision 5, is amended to read:

141.28 Subd. 5. **Statewide hearing loss early education intervention coordinator.** (a)
141.29 The coordinator shall:

141.30 (1) collaborate with the early hearing detection and intervention coordinator for the
141.31 Department of Health, ~~the director of the Department of Education Resource Center for~~
141.32 ~~Deaf and Hard-of-Hearing~~ deaf and hard-of-hearing state specialist, and the Department
141.33 of Health Early Hearing Detection and Intervention Advisory Council;

142.1 (2) coordinate and support Department of Education early hearing detection and
142.2 intervention teams;

142.3 (3) leverage resources by serving as a liaison between interagency early intervention
142.4 committees; part C coordinators from the Departments of Education, Health, and
142.5 Human Services; Department of Education regional low-incidence facilitators; service
142.6 coordinators from school districts; Minnesota children with special health needs in the
142.7 Department of Health; public health nurses; child find; Department of Human Services
142.8 Deaf and Hard-of-Hearing Services Division; and others as appropriate;

142.9 (4) identify, support, and promote culturally appropriate and evidence-based early
142.10 intervention practices for infants with hearing loss, and provide training, outreach, and use
142.11 of technology to increase consistency in statewide service provision;

142.12 (5) identify culturally appropriate specialized reliable and valid instruments to assess
142.13 and track the progress of children with hearing loss and promote their use;

142.14 (6) ensure that early childhood providers, parents, and members of the individual
142.15 family service and intervention plan are provided with child progress data resulting from
142.16 specialized assessments;

142.17 (7) educate early childhood providers and teachers of the deaf and hard-of-hearing
142.18 to use developmental data from specialized assessments to plan and adjust individual
142.19 family service plans; and

142.20 (8) make recommendations that would improve educational outcomes to the early
142.21 hearing detection and intervention committee, the commissioners of education and health,
142.22 the Commission of Deaf, DeafBlind and Hard-of-Hearing Minnesotans, and the advisory
142.23 council of the ~~Minnesota Department of Education Resource Center~~ for the deaf and
142.24 hard-of-hearing.

142.25 (b) The Department of Education must provide aggregate data regarding outcomes
142.26 of deaf and hard-of-hearing children who receive early intervention services within the
142.27 state in accordance with the state performance plan.

142.28 Sec. 18. Minnesota Statutes 2014, section 125A.76, subdivision 1, is amended to read:

142.29 Subdivision 1. **Definitions.** (a) For the purposes of this section and section 125A.79,
142.30 the definitions in this subdivision apply.

142.31 (b) "Basic revenue" has the meaning given it in section 126C.10, subdivision 2.
142.32 For the purposes of computing basic revenue pursuant to this section, each child with a
142.33 disability shall be counted as prescribed in section 126C.05, subdivision 1.

142.34 (c) "Essential personnel" means teachers, cultural liaisons, related services, and
142.35 support services staff providing services to students. Essential personnel may also include

143.1 special education paraprofessionals or clericals providing support to teachers and students
143.2 by preparing paperwork and making arrangements related to special education compliance
143.3 requirements, including parent meetings and individualized education programs. Essential
143.4 personnel does not include administrators and supervisors.

143.5 (d) "Average daily membership" has the meaning given it in section 126C.05.

143.6 (e) "Program growth factor" means 1.046 for fiscal years 2012 through 2015, 1.0
143.7 for fiscal year 2016, 1.046 for fiscal year 2017, and the product of 1.046 and the program
143.8 growth factor for the previous year for fiscal year 2018 and later.

143.9 (f) "Nonfederal special education expenditure" means all direct expenditures that
143.10 are necessary and essential to meet the district's obligation to provide special instruction
143.11 and services to children with a disability according to sections 124D.454, 125A.03 to
143.12 125A.24, 125A.259 to 125A.48, and 125A.65 as submitted by the district and approved by
143.13 the department under section 125A.75, subdivision 4, excluding expenditures:

143.14 (1) reimbursed with federal funds;

143.15 (2) reimbursed with other state aids under this chapter;

143.16 (3) for general education costs of serving students with a disability;

143.17 (4) for facilities;

143.18 (5) for pupil transportation; and

143.19 (6) for postemployment benefits.

143.20 (g) "Old formula special education expenditures" means expenditures eligible for
143.21 revenue under Minnesota Statutes 2012, section 125A.76, subdivision 2.

143.22 (h) For the Minnesota State Academy for the Deaf and the Minnesota State Academy
143.23 for the Blind, expenditures under paragraphs (f) and (g) are limited to the salary and
143.24 fringe benefits of one-to-one instructional and behavior management aides and one-to-one
143.25 licensed, certified professionals assigned to a child attending the academy, if the aides or
143.26 professionals are required by the child's individualized education program.

143.27 (i) "Cross subsidy reduction aid percentage" means 1.0 percent for fiscal year 2014
143.28 and 2.27 percent for fiscal year 2015.

143.29 (j) "Cross subsidy reduction aid limit" means \$20 for fiscal year 2014 and \$48
143.30 for fiscal year 2015.

143.31 (k) "Special education aid increase limit" means \$80 for fiscal year 2016, \$100 for
143.32 fiscal year 2017, and, for fiscal year 2018 and later, the sum of the special education aid
143.33 increase limit for the previous fiscal year and \$40.

143.34 (l) "District" means a school district, a charter school, or a cooperative unit as
143.35 defined in section 123A.24, subdivision 2. Notwithstanding section 123A.26, cooperative

144.1 units as defined in section 123A.24, subdivision 2, are eligible to receive special education
144.2 aid under this section and section 125A.79.

144.3 **EFFECTIVE DATE.** This section is effective for fiscal year 2016 and later.

144.4 Sec. 19. Minnesota Statutes 2014, section 125A.76, subdivision 2c, is amended to read:

144.5 Subd. 2c. **Special education aid.** (a) For fiscal year 2014 and fiscal year 2015, a
144.6 district's special education aid equals the sum of the district's special education aid under
144.7 subdivision 5, the district's cross subsidy reduction aid under subdivision 2b, and the
144.8 district's excess cost aid under section 125A.79, subdivision 7.

144.9 (b) For fiscal year 2016 and later, a district's special education aid equals the sum of
144.10 the district's special education initial aid under subdivision 2a and the district's excess cost
144.11 aid under section 125A.79, subdivision 5.

144.12 (c) Notwithstanding paragraph (b), for fiscal year 2016, the special education aid for
144.13 a school district must not exceed the sum of the special education aid the district would
144.14 have received for fiscal year 2016 under Minnesota Statutes 2012, sections 125A.76
144.15 and 125A.79, as adjusted according to Minnesota Statutes 2012, sections 125A.11 and
144.16 127A.47, subdivision 7, and the product of the district's average daily membership served
144.17 and the special education aid increase limit.

144.18 (d) Notwithstanding paragraph (b), for fiscal year 2017 and later, the special education
144.19 aid for a school district must not exceed the sum of: (i) the product of the district's average
144.20 daily membership served and the special education aid increase limit and (ii) the product
144.21 of the sum of the special education aid the district would have received for fiscal year 2016
144.22 under Minnesota Statutes 2012, sections 125A.76 and 125A.79, as adjusted according
144.23 to Minnesota Statutes 2012, sections 125A.11 and 127A.47, subdivision 7, the ratio of
144.24 the district's average daily membership served for the current fiscal year to the district's
144.25 average daily membership served for fiscal year 2016, and the program growth factor.

144.26 (e) Notwithstanding paragraph (b), for fiscal year 2016 and later the special
144.27 education aid for a school district, not including a charter school or cooperative unit as
144.28 defined in section 123A.24, must not be less than the lesser of (1) the district's nonfederal
144.29 special education expenditures for that fiscal year or (2) the product of the sum of the
144.30 special education aid the district would have received for fiscal year 2016 under Minnesota
144.31 Statutes 2012, sections 125A.76 and 125A.79, as adjusted according to Minnesota Statutes
144.32 2012, sections 125A.11 and 127A.47, subdivision 7, the ratio of the district's adjusted
144.33 daily membership for the current fiscal year to the district's average daily membership for
144.34 fiscal year 2016, and the program growth factor.

145.1 (f) Notwithstanding subdivision 2a and section 125A.79, a charter school in its first
145.2 year of operation shall generate special education aid based on current year data. A newly
145.3 formed cooperative unit as defined in section 123A.24 may apply to the commissioner
145.4 for approval to generate special education aid for its first year of operation based on
145.5 current year data, with an offsetting adjustment to the prior year data used to calculate aid
145.6 for programs at participating school districts or previous cooperatives that were replaced
145.7 by the new cooperative.

145.8 **Sec. 20. SPECIAL EDUCATION EVALUATION.**

145.9 **Subdivision 1. Special education teachers' compliance with legal requirements.**
145.10 The Department of Education must identify ways to give teachers working with eligible
145.11 children with disabilities sufficient written and online resources to make informed decisions
145.12 about how to effectively comply with legal requirements related to providing special
145.13 education programs and services, including writing individualized education programs and
145.14 related documents, among other requirements. The department must work collaboratively
145.15 with teachers working with eligible children with disabilities, other school and district staff,
145.16 and representatives of affected organizations, including Education Minnesota, Minnesota
145.17 School Boards Association, and Minnesota Administrators of Special Education, among
145.18 others, to identify obstacles to and solutions for teachers' confusion about complying with
145.19 legal requirements governing special education programs and services. The department
145.20 must work with schools and districts to provide staff development training to better
145.21 comply with applicable legal requirements while meeting the educational needs and
145.22 improving the educational progress of eligible children with disabilities.

145.23 **Subd. 2. Efficiencies to reduce paperwork.** The Department of Education, in
145.24 collaboration with teachers and administrators working with eligible children with
145.25 disabilities in schools and districts, must identify strategies to effectively decrease the
145.26 amount of time teachers spend completing paperwork for special education programs and
145.27 services, evaluate whether the strategies are cost-effective, and determine whether other
145.28 schools and districts are able to effectively use the strategies given available staff and
145.29 resources. Where an evaluation shows that particular paperwork reduction strategies are
145.30 cost-effective without undermining the purpose of the paperwork or the integrity of special
145.31 education requirements, the department must electronically disseminate and promote the
145.32 strategies to other schools and districts throughout the state.

145.33 **Subd. 3. Special education forms; reading level.** The Department of Education
145.34 must determine the current reading level of its special education forms, establish a target
145.35 reading level for such forms, and, based on that target level, determine whether alternative

146.1 forms are needed to accommodate the lexical and sublexical cognitive processes of
 146.2 individual form users and readers. The department must work with interested special
 146.3 education stakeholders and reading experts in making the determinations and identification
 146.4 required in this subdivision.

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

146.6 Sec. 21. **APPROPRIATIONS.**

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

146.10 Subd. 2. **Special education; regular.** For special education aid under Minnesota
 146.11 Statutes, section 125A.75:

146.12 \$ 1,170,508,000 2016

146.13 \$ 1,229,706,000 2017

146.14 The 2016 appropriation includes \$137,932,000 for 2015 and \$1,032,576,000 for
 146.15 2016.

146.16 The 2017 appropriation includes \$145,356,000 for 2016 and \$1,084,350,000 for
 146.17 2017.

146.18 Subd. 3. **Aid for children with disabilities.** For aid under Minnesota Statutes,
 146.19 section 125A.75, subdivision 3, for children with disabilities placed in residential facilities
 146.20 within the district boundaries for whom no district of residence can be determined:

146.21 \$ 1,406,000 2016

146.22 \$ 1,629,000 2017

146.23 If the appropriation for either year is insufficient, the appropriation for the other
 146.24 year is available.

146.25 Subd. 4. **Travel for home-based services.** For aid for teacher travel for home-based
 146.26 services under Minnesota Statutes, section 125A.75, subdivision 1:

146.27 \$ 361,000 2016

146.28 \$ 371,000 2017

146.29 The 2016 appropriation includes \$35,000 for 2015 and \$326,000 for 2016.

146.30 The 2017 appropriation includes \$36,000 for 2016 and \$335,000 for 2017.

147.1 Subd. 5. **Court-placed special education revenue.** For reimbursing serving school
 147.2 districts for unreimbursed eligible expenditures attributable to children placed in the serving
 147.3 school district by court action under Minnesota Statutes, section 125A.79, subdivision 4:

147.4 \$ 56,000 2016

147.5 \$ 57,000 2017

147.6 Subd. 6. **Special education out-of-state tuition.** For special education out-of-state
 147.7 tuition according to Minnesota Statutes, section 125A.79, subdivision 8:

147.8 \$ 250,000 2016

147.9 \$ 250,000 2017

147.10 Subd. 7. **Training and technical assistance to reduce district use of seclusion**
 147.11 **and restraint.** (a) For providing school districts with training and technical assistance to
 147.12 reduce district use of seclusion and restraint on students with complex needs:

147.13 \$ 750,000 2016

147.14 (b) Of this appropriation, \$500,000 is available to the commissioner to reimburse
 147.15 school districts for the cost of hiring experts to provide staff training in reducing district
 147.16 use of seclusion and restraint on students with complex needs.

147.17 (c) Of this appropriation, \$250,000 is available to the commissioner for the costs
 147.18 of providing specialized training and assistance to school districts with a high use of
 147.19 seclusion and restraint on students with complex needs.

147.20 (d) The commissioner may contract with experts from intermediate school district
 147.21 teams or level four programs to provide the specialized training and technical assistance.

147.22 (e) Any funds unexpended in fiscal year 2016 do not cancel but carry forward into
 147.23 the next fiscal year.

147.24 Sec. 22. **REPEALER.**

147.25 Minnesota Statutes 2014, section 125A.63, subdivision 1, is repealed.

147.26 **ARTICLE 6**

147.27 **FACILITIES AND TECHNOLOGY**

147.28 Section 1. Minnesota Statutes 2014, section 123B.59, subdivision 6, is amended to read:

147.29 Subd. 6. **Alternative facilities aid.** A district's alternative facilities aid is the amount
 147.30 equal to equals 53.33 percent of the district's annual debt service costs, provided that the
 147.31 amount does not exceed the amount certified to be levied for those purposes for taxes
 147.32 payable in 1997, or for a district that made a levy under subdivision 5, paragraph (b), the

148.1 lesser of the district's annual levy amount, or one-sixth of the amount of levy that it certified
148.2 for that purpose for taxes payable in 1998 alternative facilities aid for fiscal year 2016.

148.3 **EFFECTIVE DATE.** This section is effective for fiscal year 2017 and later.

148.4 Sec. 2. Minnesota Statutes 2014, section 123B.59, subdivision 7, is amended to read:

148.5 Subd. 7. **Alternative facilities appropriation.** (a) An amount not to exceed
148.6 ~~\$19,700,000~~ \$20,000,000 for fiscal year ~~2000~~ 2016 and ~~\$20,000,000~~ \$11,187,000 for
148.7 fiscal year ~~2001~~ 2017 and each year thereafter is appropriated from the general fund to the
148.8 commissioner of education for payment of alternative facilities aid under subdivision 6.

148.9 (b) The appropriation in paragraph (a) must be reduced by the amount of any money
148.10 specifically appropriated for the same purpose in any year from any state fund.

148.11 **EFFECTIVE DATE.** This section is effective for fiscal year 2017 and later.

148.12 Sec. 3. Minnesota Statutes 2014, section 125B.26, subdivision 2, is amended to read:

148.13 Subd. 2. **E-rates.** To be eligible for aid under this section, a district, charter school,
148.14 or intermediate school district is required to file an e-rate application either separately or
148.15 through its telecommunications access cluster ~~and have a current technology plan on file~~
148.16 ~~with the department.~~ Discounts received on telecommunications expenditures shall be
148.17 reflected in the costs submitted to the department for aid under this section.

148.18 Sec. 4. **FAIR SCHOOL DOWNTOWN TRANSITION.**

148.19 Subdivision 1. Student enrollment. A student enrolled in the FAIR School
148.20 downtown during the 2014-2015 school year and a student accepted for enrollment during
148.21 the 2015-2016 school year may continue to enroll in the FAIR School downtown in any
148.22 year through the 2018-2019 school year. For the 2015-2016 school year and later, other
148.23 students may apply for enrollment under Minnesota Statutes, section 124D.03.

148.24 Subd. 2. Compensatory revenue; literacy aid; alternative compensation
148.25 revenue. For the 2015-2016 school year only, the Department of Education must calculate
148.26 compensatory revenue, literacy aid, and alternative compensation revenue for the FAIR
148.27 School downtown based on the October 1, 2014, enrollment counts.

148.28 Subd. 3. Pupil transportation. The district may transport a pupil enrolled in the
148.29 2014-2015 school year and a pupil accepted for enrollment during the 2015-2016 school
148.30 year to and from the FAIR School downtown in succeeding school years regardless of
148.31 the pupil's district of residence. Pupil transportation expenses under this section are
148.32 reimbursable under Minnesota Statutes, section 124D.87.

149.1 **EFFECTIVE DATE.** This section is effective the day following the date on which
 149.2 the real and personal property of the FAIR School downtown in Minneapolis is conveyed
 149.3 to Special School District No. 1, Minneapolis.

149.4 Sec. 5. **FAIR SCHOOL CRYSTAL TRANSITION.**

149.5 Subdivision 1. **Student enrollment.** A student enrolled in the FAIR School
 149.6 Crystal during the 2014-2015 school year and a student accepted for enrollment during
 149.7 the 2015-2016 school year may continue to enroll in the FAIR School Crystal in any
 149.8 year through the 2019-2020 school year. For the 2015-2016 school year and later, other
 149.9 students may apply for enrollment under Minnesota Statutes, section 124D.03.

149.10 Subd. 2. **Compensatory revenue; literacy aid; alternative compensation**
 149.11 **revenue.** For the 2015-2016 school year only, the Department of Education must calculate
 149.12 compensatory revenue, literacy aid, and alternative compensation revenue for the FAIR
 149.13 School Crystal based on the October 1, 2014, enrollment counts.

149.14 Subd. 3. **Pupil transportation.** The district may transport a pupil enrolled in
 149.15 the 2014-2015 school year and a pupil accepted for enrollment during the 2015-2016
 149.16 school year to and from the FAIR School Crystal in succeeding school years regardless
 149.17 of the pupil's district of residence. Pupil transportation expenses under this section are
 149.18 reimbursable under Minnesota Statutes, section 124D.87.

149.19 **EFFECTIVE DATE.** This section is effective the day following the date on which
 149.20 the real and personal property of the FAIR School Crystal in Crystal is conveyed to
 149.21 Independent School District No. 281, Robbinsdale.

149.22 Sec. 6. **APPROPRIATIONS.**

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

149.26 Subd. 2. **Health and safety revenue.** For health and safety aid according to
 149.27 Minnesota Statutes, section 123B.57, subdivision 5:

149.28	\$	<u>501,000</u>	<u>.....</u>	<u>2016</u>
149.29	\$	<u>477,000</u>	<u>.....</u>	<u>2017</u>

149.30 The 2016 appropriation includes \$66,000 for 2015 and \$435,000 for 2016.

149.31 The 2017 appropriation includes \$48,000 for 2016 and \$399,000 for 2017.

150.1 Subd. 3. Debt service equalization. For debt service aid according to Minnesota
 150.2 Statutes, sections 123B.53, subdivision 6, and 123B.535, subdivision 5:

150.3 \$ 20,349,000 2016

150.4 \$ 22,171,000 2017

150.5 The 2016 appropriation includes \$2,295,000 for 2015 and \$18,054,000 for 2016.

150.6 The 2017 appropriation includes \$2,005,000 for 2016 and \$20,166,000 for 2017.

150.7 Subd. 4. Alternative facilities bonding aid. For alternative facilities bonding aid,
 150.8 according to Minnesota Statutes, section 123B.59, subdivision 1:

150.9 \$ 19,287,000 2016

150.10 \$ 11,187,000 2017

150.11 The 2016 appropriation includes \$1,928,000 for 2015 and \$17,359,000 for 2016.

150.12 The 2017 appropriation includes \$1,928,000 for 2016 and \$9,259,000 for 2017.

150.13 Subd. 5. Equity in telecommunications access. For equity in telecommunications
 150.14 access:

150.15 \$ 3,750,000 2016

150.16 \$ 3,750,000 2017

150.17 If the appropriation amount is insufficient, the commissioner shall reduce the
 150.18 reimbursement rate in Minnesota Statutes, section 125B.26, subdivisions 4 and 5, and the
 150.19 revenue for fiscal years 2016 and 2017 shall be prorated.

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

150.21 Subd. 6. Deferred maintenance aid. For deferred maintenance aid, according to
 150.22 Minnesota Statutes, section 123B.591, subdivision 4:

150.23 \$ 3,520,000 2016

150.24 \$ 2,714,000 2017

150.25 The 2016 appropriation includes \$409,000 for 2015 and \$3,111,000 for 2016.

150.26 The 2017 appropriation includes \$345,000 for 2016 and \$2,369,000 for 2017.

150.27 **ARTICLE 7**

150.28 **NUTRITION AND ACCOUNTING**

150.29 Section 1. Minnesota Statutes 2014, section 16A.103, subdivision 1c, is amended to
 150.30 read:

150.31 Subd. 1c. **Expenditure data.** (a) State agencies must submit any revisions
 150.32 in expenditure data the commissioner determines necessary for the forecast to the
 150.33 commissioner at least four weeks prior to the release of the forecast. The information

151.1 submitted by state agencies and any modifications to that information made by the
151.2 commissioner must be made available to legislative fiscal staff no later than three weeks
151.3 prior to the release of the forecast.

151.4 (b) Notwithstanding paragraph (a), the Department of Education must submit any
151.5 revisions in expenditure data to the commissioner at least three weeks before the release of
151.6 the November forecast, and the commissioner must make E-12 expenditure data available to
151.7 legislative fiscal staff no later than two weeks before the release of the November forecast.

151.8 Sec. 2. Minnesota Statutes 2014, section 123A.24, subdivision 1, is amended to read:

151.9 Subdivision 1. **Distribution of assets and liabilities.** (a) If a district withdraws
151.10 from a cooperative unit defined in subdivision 2, the distribution of assets and assignment
151.11 of liabilities to the withdrawing district shall be determined according to this subdivision.

151.12 (b) The withdrawing district remains responsible for its share of debt incurred by the
151.13 cooperative unit according to section 123B.02, subdivision 3. The district and cooperative
151.14 unit may mutually agree, through a board resolution by each, to terms and conditions of
151.15 the distribution of assets and the assignment of liabilities.

151.16 (c) If the cooperative unit and the district cannot agree on the terms and conditions,
151.17 the commissioner shall resolve the dispute by determining the district's proportionate share
151.18 of assets and liabilities based on the district's enrollment, financial contribution, usage, or
151.19 other factor or combination of factors determined appropriate by the commissioner. If the
151.20 dispute requires the commissioner to involve an administrative law judge, any fees due
151.21 to the Office of Administrative Hearings must be equally split between the district and
151.22 cooperative unit. The assets must be disbursed to the withdrawing district in a manner
151.23 that minimizes financial disruption to the cooperative unit.

151.24 (d) Assets related to an insurance pool shall not be disbursed to a member district
151.25 under paragraph (c).

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

151.27 Sec. 3. Minnesota Statutes 2014, section 123B.77, subdivision 3, is amended to read:

151.28 Subd. 3. **Statement for comparison and correction.** (a) By November 30 15 of the
151.29 calendar year of the submission of the unaudited financial data, the district must provide to
151.30 the commissioner audited financial data for the preceding fiscal year. The audit must be
151.31 conducted in compliance with generally accepted governmental auditing standards, the
151.32 federal Single Audit Act, and the Minnesota legal compliance guide issued by the Office
151.33 of the State Auditor. An audited financial statement prepared in a form which will allow
151.34 comparison with and correction of material differences in the unaudited financial data shall

152.1 be submitted to the commissioner and the state auditor by December ~~31~~ 15. The audited
152.2 financial statement must also provide a statement of assurance pertaining to uniform
152.3 financial accounting and reporting standards compliance and a copy of the management
152.4 letter submitted to the district by the school district's auditor.

152.5 (b) By February ~~15~~ 1 of the calendar year following the submission of the unaudited
152.6 financial data, the commissioner shall convert the audited financial data required by this
152.7 subdivision into the consolidated financial statement format required under subdivision 1a
152.8 and publish the information on the department's Web site.

152.9 Sec. 4. Minnesota Statutes 2014, section 125A.75, subdivision 9, is amended to read:

152.10 Subd. 9. **Litigation costs; annual report.** (a) By November 30 of each year,
152.11 a school district must annually report the district's special education litigation costs,
152.12 including attorney fees and costs of due process hearings, to the commissioner of
152.13 education, consistent with the Uniform Financial Accounting and Reporting Standards.

152.14 (b) By ~~January 15~~ February 1 of each year, the commissioner shall report school
152.15 district special education litigation costs to the house of representatives and the senate
152.16 committees having jurisdiction over kindergarten through grade 12 education finance.

152.17 Sec. 5. Minnesota Statutes 2014, section 127A.05, subdivision 6, is amended to read:

152.18 Subd. 6. **Survey of districts.** The commissioner of education shall survey the state's
152.19 school districts and teacher preparation programs and report to the education committees
152.20 of the legislature by ~~January 15~~ February 1 of each odd-numbered year on the status of
152.21 teacher early retirement patterns, the teacher shortage, and the substitute teacher shortage,
152.22 including patterns and shortages in subject areas and regions of the state. The report must
152.23 also include how districts are making progress in hiring teachers and substitutes in the
152.24 areas of shortage and a five-year projection of teacher demand for each district.

152.25 Sec. 6. Minnesota Statutes 2014, section 127A.49, subdivision 1, is amended to read:

152.26 Subdivision 1. **Omissions.** No adjustments to any aid payments made pursuant
152.27 to this chapter or chapters 120B, 122A, 123A, 123B, 124D, 125A, and 126C resulting
152.28 from omissions in district reports, except those adjustments determined by the legislative
152.29 auditor, shall be made for any school year after December ~~30~~ 15 of the next school year,
152.30 unless otherwise specifically provided by law.

152.31 Sec. 7. Laws 2013, chapter 116, article 7, section 19, is amended to read:

153.1 **Sec. 19. FUND TRANSFER; FISCAL YEARS YEAR 2014 AND 2015**
 153.2 **THROUGH FISCAL YEAR 2017 ONLY.**

153.3 (a) Notwithstanding Minnesota Statutes, section 123B.80, subdivision 3, for fiscal
 153.4 years year 2014 and 2015 through fiscal year 2017 only, the commissioner must approve
 153.5 a request for a fund transfer if the transfer does not increase state aid obligations to the
 153.6 district or result in additional property tax authority for the district. This section does not
 153.7 permit transfers from the community service fund, the food service fund, or the reserved
 153.8 account for staff development under section 122A.61.

153.9 (b) A school board may approve a fund transfer under paragraph (a) only after
 153.10 adopting a resolution stating the fund transfer will not diminish instructional opportunities
 153.11 for students.

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

153.13 **Sec. 8. APPROPRIATIONS.**

153.14 Subdivision 1. Department of Education. The sums indicated in this section are
 153.15 appropriated from the general fund to the Department of Education for the fiscal years
 153.16 designated.

153.17 Subd. 2. School lunch. For school lunch aid according to Minnesota Statutes,
 153.18 section 124D.111, and Code of Federal Regulations, title 7, section 210.17:

153.19	\$	<u>15,661,000</u>	<u>.....</u>	<u>2016</u>
153.20	\$	<u>15,818,000</u>	<u>.....</u>	<u>2017</u>

153.21 Subd. 3. School breakfast. For traditional school breakfast aid under Minnesota
 153.22 Statutes, section 124D.1158:

153.23	\$	<u>9,731,000</u>	<u>.....</u>	<u>2016</u>
153.24	\$	<u>10,361,000</u>	<u>.....</u>	<u>2017</u>

153.25 Subd. 4. Kindergarten milk. For kindergarten milk aid under Minnesota Statutes,
 153.26 section 124D.118:

153.27	\$	<u>942,000</u>	<u>.....</u>	<u>2016</u>
153.28	\$	<u>942,000</u>	<u>.....</u>	<u>2017</u>

153.29 Subd. 5. Summer school service replacement aid. For summer food service
 153.30 replacement aid under Minnesota Statutes, section 124D.119:

153.31	\$	<u>150,000</u>	<u>.....</u>	<u>2016</u>
153.32	\$	<u>150,000</u>	<u>.....</u>	<u>2017</u>

154.1 **ARTICLE 8**154.2 **LIBRARIES**

154.3 Section 1. Minnesota Statutes 2014, section 134.355, subdivision 8, is amended to read:

154.4 Subd. 8. **Eligibility.** A regional public library system may apply for regional library
154.5 telecommunications aid. ~~The aid must be used for data and video access maintenance,~~
154.6 ~~equipment, or installation of telecommunication lines.~~ on behalf of itself and member
154.7 public libraries. The aid must be used for connections and other eligible nonvoice related
154.8 e-rate program category one services. Aid may be used for e-rate program category two
154.9 services as identified in the Federal Communication Commission's eligible services list
154.10 for the current and preceding four funding years, if sufficient funds remain once category
154.11 one needs are met in each funding year. To be eligible, a regional public library system
154.12 must be officially designated by the commissioner of education as a regional public library
154.13 system as defined in section 134.34, subdivision 3, and each of its participating cities and
154.14 counties must meet local support levels defined in section 134.34, subdivision 1. A public
154.15 library building that receives aid under this section must be open a minimum of 20 hours
154.16 per week. Exceptions to the minimum open hours requirement may be granted by the
154.17 Department of Education on request of the regional public library system for the following
154.18 circumstances: short-term closing for emergency maintenance and repairs following a
154.19 natural disaster; in response to exceptional economic circumstances; building repair or
154.20 maintenance that requires public services areas to be closed; or to adjust hours of public
154.21 service to respond to documented seasonal use patterns.

154.22 Sec. 2. Minnesota Statutes 2014, section 134.355, subdivision 9, is amended to read:

154.23 Subd. 9. **Telecommunications aid.** An application for regional library
154.24 telecommunications aid must, at a minimum, contain information to document the
154.25 following:

154.26 (1) the connections are adequate and employ an open network architecture that
154.27 will ensure interconnectivity and interoperability with school districts, postsecondary
154.28 education, or other governmental agencies;

154.29 (2) that the connection is established through the most cost-effective means and that
154.30 the regional library has explored and coordinated connections through school districts,
154.31 postsecondary education, or other governmental agencies;

154.32 (3) that the regional library system ~~has~~ and member libraries included in the
154.33 application have filed or are included in an e-rate application; and

155.1 (4) other information, as determined by the commissioner of education, to ensure
 155.2 that connections are coordinated, efficient, and cost-effective, take advantage of discounts,
 155.3 and meet applicable state standards.

155.4 The library system may include costs associated with cooperative arrangements with
 155.5 postsecondary institutions, school districts, and other governmental agencies.

155.6 Sec. 3. Minnesota Statutes 2014, section 134.355, subdivision 10, is amended to read:

155.7 Subd. 10. **Award of funds.** The commissioner of education shall develop an
 155.8 application and a reporting form and procedures for regional library telecommunications
 155.9 aid. Aid shall be based on actual costs of including, but not limited to, connections, as
 155.10 documented in e-rate funding commitment decision letters for category one services and
 155.11 acceptable documentation for category two services and funds available for this purpose.
 155.12 The commissioner shall make payments directly to the regional public library system.

155.13 Sec. 4. **DEPARTMENT OF EDUCATION; LIBRARY APPROPRIATIONS.**

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

155.17 Subd. 2. **Basic system support.** For basic system support aid under Minnesota
 155.18 Statutes, section 134.355:

155.19 \$ 13,570,000 2016

155.20 \$ 13,570,000 2017

155.21 The 2016 appropriation includes \$1,357,000 for 2015 and \$12,213,000 for 2016.

155.22 The 2017 appropriation includes \$1,357,000 for 2016 and \$12,213,000 for 2017.

155.23 Subd. 3. **Multicounty, multitype library systems.** For aid under Minnesota
 155.24 Statutes, sections 134.353 and 134.354, to multicounty, multitype library systems:

155.25 \$ 1,300,000 2016

155.26 \$ 1,300,000 2017

155.27 The 2016 appropriation includes \$130,000 for 2015 and \$1,170,000 for 2016.

155.28 The 2017 appropriation includes \$130,000 for 2016 and \$1,170,000 for 2017.

155.29 Subd. 4. **Electronic library for Minnesota.** For statewide licenses to online
 155.30 databases selected in cooperation with the Minnesota Office of Higher Education for
 155.31 school media centers, public libraries, state government agency libraries, and public
 155.32 or private college or university libraries:

156.1 \$ 900,000 2016

156.2 \$ 900,000 2017

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

156.4 Subd. 5. **Regional library telecommunications aid.** For regional library

156.5 telecommunications aid under Minnesota Statutes, section 134.355:

156.6 \$ 2,300,000 2016

156.7 \$ 2,300,000 2017

156.8 The 2016 appropriation includes \$230,000 for 2015 and \$2,070,000 for 2016.

156.9 The 2017 appropriation includes \$230,000 for 2016 and \$2,070,000 for 2017.

156.10

ARTICLE 9

156.11

EARLY CHILDHOOD EDUCATION

156.12 Section 1. Minnesota Statutes 2014, section 121A.17, subdivision 5, is amended to read:

156.13 Subd. 5. **Developmental screening program information.** (a) The board must
156.14 inform each resident family with a child eligible to participate in the developmental
156.15 screening program, and a charter school that provides screening must inform families
156.16 that apply for admission to the charter school, about the availability of the program and
156.17 the state's requirement that a child receive a developmental screening or provide health
156.18 records indicating that the child received a comparable developmental screening from a
156.19 public or private health care organization or individual health care provider not later than
156.20 30 days after the first day of attending kindergarten in a public school. A school district
156.21 must inform all resident families with eligible children under age seven, and a charter
156.22 school that provides screening must inform families that apply for admission to the charter
156.23 school, that their children may receive a developmental screening conducted either by the
156.24 school district or by a public or private health care organization or individual health care
156.25 provider and that the screening is not required if a statement signed by the child's parent
156.26 or guardian is submitted to the administrator or other person having general control and
156.27 supervision of the school that the child has not been screened.

156.28 (b) A school district that enrolls students from an adjoining state under section
156.29 124D.041 may inform a nonresident child whose family resides at a Minnesota address as
156.30 assigned by the United States Postal Service about the availability of the developmental
156.31 screening program and may provide screening under this section to that child.

156.32 **EFFECTIVE DATE.** This section is effective for revenue for fiscal year 2016
156.33 and later.

157.1 Sec. 2. Minnesota Statutes 2014, section 124D.041, subdivision 1, is amended to read:

157.2 Subdivision 1. **Agreements.** (a) The commissioner may enter into an agreement
157.3 with the designated authority from an adjoining state to establish an enrollment options
157.4 program between Minnesota and the adjoining state. Any agreement entered into pursuant
157.5 to this section must specify the following:

157.6 (1) for students who are not residents of Minnesota, the enrollment options program
157.7 applies only to a student whose resident school district borders Minnesota;

157.8 (2) the commissioner must negotiate equal, reciprocal rates with the designated
157.9 authority from the adjoining state;

157.10 (3) if the adjoining state sends more students to Minnesota than Minnesota sends to
157.11 the adjoining state, the adjoining state must pay the state of Minnesota the rate agreed
157.12 upon under clause (2) for the excess number of students sent to Minnesota;

157.13 (4) if Minnesota sends more students to the adjoining state than the adjoining state
157.14 sends to Minnesota, the state of Minnesota will pay the adjoining state the rate agreed
157.15 upon under clause (2) for the excess number of students sent to the adjoining state;

157.16 (5) the application procedures for the enrollment options program between
157.17 Minnesota and the adjoining state;

157.18 (6) the reasons for which an application for the enrollment options program between
157.19 Minnesota and the adjoining state may be denied; and

157.20 (7) that a Minnesota school district is not responsible for transportation for any
157.21 resident student attending school in an adjoining state under the provisions of this section.
157.22 A Minnesota school district may, at its discretion, provide transportation services for
157.23 such a student.

157.24 (b) Any agreement entered into pursuant to this section may specify additional
157.25 terms relating to any student in need of special education and related services pursuant
157.26 to chapter 125A, including early childhood special education services. Any additional
157.27 terms must apply equally to both states.

157.28 **EFFECTIVE DATE.** This section is effective July 1, 2015.

157.29 Sec. 3. Minnesota Statutes 2014, section 124D.041, subdivision 2, is amended to read:

157.30 Subd. 2. **Pupil accounting.** (a) Any student from an adjoining state enrolled in
157.31 Minnesota pursuant to this section is included in the receiving school district's average
157.32 daily membership and pupil units according to section 126C.05 as if the student were
157.33 a resident of another Minnesota school district attending the receiving school district
157.34 under section 124D.03.

158.1 (b) Any Minnesota resident student enrolled in an adjoining state pursuant to this
158.2 section is included in the resident school district's average daily membership and pupil
158.3 units according to section 126C.05 as if the student were a resident of the district attending
158.4 another Minnesota school district under section 124D.03.

158.5 (c) A prekindergarten child from an adjoining state whose family resides at a
158.6 Minnesota address as assigned by the United States Postal Service and is receiving early
158.7 childhood special education services from a Minnesota school district is considered
158.8 enrolled in a Minnesota school district.

158.9 **EFFECTIVE DATE.** This section is effective July 1, 2015.

158.10 Sec. 4. **[124D.1295] EARLY LEARNING PROGRAM COORDINATION.**

158.11 **Subdivision 1. Early learning program coordination.** A school board, after
158.12 receiving written comments from its early childhood advisory council, may adopt
158.13 a resolution allowing the district to offer a coordinated early learning program. A
158.14 coordinated early learning program may provide early childhood family education
158.15 services, school readiness services, and other early learning programs providing services
158.16 to parents and children.

158.17 **Subd. 2. Early learning program revenue sources.** A school district's early
158.18 learning program revenue includes its early childhood family education revenue under
158.19 section 124D.135, school readiness program revenue under section 124D.16, and any
158.20 other revenues set aside for early learning activities.

158.21 **Subd. 3. Reserve account.** A district that offers a coordinated early learning
158.22 program must place all of the revenue it receives under subdivision 2 in an early learning
158.23 program reserve account established in the community service fund.

158.24 **EFFECTIVE DATE.** This section is effective July 1, 2015.

158.25 Sec. 5. Minnesota Statutes 2014, section 124D.13, is amended to read:

158.26 **124D.13 EARLY CHILDHOOD FAMILY EDUCATION (ECFE) PROGRAMS.**

158.27 **Subdivision 1. Establishment; purpose.** A district that provides a community
158.28 education program under sections 124D.18 and 124D.19 may establish an early childhood
158.29 family education program as an individual program or as a part of an early learning
158.30 program under section 124D.1295. Two or more districts, each of which provides a
158.31 community education program, may cooperate to jointly provide an early childhood
158.32 family education program. The purpose of the early childhood family education program
158.33 is to provide parenting education to support children's learning and development.

159.1 Subd. 2. **Program requirements.** (a) Early childhood family education programs
159.2 are programs for children in the period of life from birth to kindergarten, for the parents
159.3 and other relatives of these children, and for expectant parents. To the extent that funds
159.4 are insufficient to provide programs for all children, early childhood family education
159.5 programs should emphasize programming for a child from birth to age three and
159.6 encourage parents and other relatives to involve four- and five-year-old children in school
159.7 readiness programs, and other public and nonpublic early learning programs. A district
159.8 may not limit participation to school district residents. Early childhood family education
159.9 programs must provide:

159.10 (1) programs to educate parents and other relatives about the physical, cognitive,
159.11 social, and emotional development of children and to enhance the skills of parents and
159.12 other relatives in providing for their children's learning and development;

159.13 (2) structured learning activities requiring interaction between children and their
159.14 parents or relatives;

159.15 (3) structured learning activities for children that promote children's development
159.16 and positive interaction with peers, which are held while parents or relatives attend parent
159.17 education classes;

159.18 (4) information on related community resources;

159.19 (5) information, materials, and activities that support the safety of children, including
159.20 prevention of child abuse and neglect;

159.21 (6) a community needs assessment that identifies new and underserved populations,
159.22 identifies child and family risk factors, particularly those that impact children's learning
159.23 and development, and assesses family and parenting education needs in the community;

159.24 (7) programming and services that are tailored to the needs of families and parents
159.25 prioritized in the community needs assessment; and

159.26 (8) information about and, if needed, assist in making arrangements for an early
159.27 childhood health and developmental screening under sections 121A.16 and 121A.17,
159.28 when the child nears the third birthday.

159.29 Early childhood family education programs should prioritize programming and
159.30 services for families and parents identified in the community needs assessment, particularly
159.31 those families and parents with children with the most risk factors birth to age three.

159.32 Early childhood family education programs are encouraged to provide parents of
159.33 English learners with translated oral and written information to monitor the program's
159.34 impact on their children's English language development, to know whether their children
159.35 are progressing in developing their English and native language proficiency, and to

160.1 actively engage with and support their children in developing their English and native
160.2 language proficiency.

160.3 The programs must include learning experiences for children, parents, and other
160.4 relatives that promote children's early literacy and, where practicable, their native language
160.5 skills and activities for children that require substantial involvement of the children's
160.6 parents or other relatives. The program may provide parenting education programming or
160.7 services to anyone identified in the community needs assessment. Providers must review
160.8 the program periodically to assure the instruction and materials are not racially, culturally,
160.9 or sexually biased. The programs must encourage parents to be aware of practices that
160.10 may affect equitable development of children.

160.11 (b) For the purposes of this section, "relative" or "relatives" means noncustodial
160.12 grandparents or other persons related to a child by blood, marriage, adoption, or foster
160.13 placement, excluding parents.

160.14 Subd. 3. **Substantial parental involvement.** The requirement of substantial
160.15 parental or other relative involvement in subdivision 2 means that:

160.16 (a) parents or other relatives must be physically present much of the time in classes
160.17 with their children or be in concurrent classes;

160.18 (b) parenting education or family education must be an integral part of every early
160.19 childhood family education program;

160.20 (c) early childhood family education appropriations must not be used for traditional
160.21 day care or nursery school, or similar programs; and

160.22 (d) the form of parent involvement common to kindergarten, elementary school, or
160.23 early childhood special education programs such as parent conferences, newsletters, and
160.24 notes to parents do not qualify a program under subdivision 2.

160.25 Subd. 4. **Home visiting program.** (a) A district that levies for home visiting under
160.26 section 124D.135, subdivision 6, shall use this revenue to include as part of the early
160.27 childhood family education programs a parent education component that is designed to
160.28 reach isolated or at-risk families.

160.29 The home visiting program must:

160.30 (1) incorporate evidence-informed parenting education practices designed to support
160.31 the healthy growth and development of children, with a priority focus on reaching those
160.32 children who have high needs at as early an age as possible;

160.33 (2) establish clear objectives and protocols for home visits;

160.34 (3) encourage families to make a transition from home visits to site-based parenting
160.35 programs;

161.1 (4) provide program services that are community-based, accessible, and culturally
161.2 relevant;

161.3 (5) foster collaboration among existing agencies and community-based organizations
161.4 that serve young children and their families, such as public health evidence-based models
161.5 of home visiting and Head Start home visiting; and

161.6 (6) provide information about and assist in making arrangements for an early
161.7 childhood health and developmental screening when the child nears his or her third birthday.

161.8 The home visiting program should be provided by licensed parenting educators,
161.9 certified family life educators, or professionals with an equivalent license that reflect the
161.10 demographic composition of the community to the extent possible.

161.11 (b) A home visiting program must include information focused on early brain
161.12 development, including but not limited to brain development at different life stages,
161.13 expectations of cognitive functions at different life stages, suggested activities to
161.14 encourage healthy brain development, and suggested activities to discourage negative
161.15 brain development based on a child's surroundings.

161.16 Subd. 5. **Separate accounts.** The A district operating an early childhood family
161.17 education program independent of an early learning program under section 124D.1295
161.18 must maintain a separate account within the community education fund for money for
161.19 early childhood family education programs.

161.20 Subd. 6. **Participants' fees.** A district must establish a reasonable sliding fee scale
161.21 but it shall waive the fee for a participant unable to pay.

161.22 Subd. 7. **Additional funding.** A district may receive funds from any governmental
161.23 agency or private source.

161.24 Subd. 8. **Coordination.** (a) A district must describe strategies to coordinate and
161.25 maximize public and private community resources and reduce duplication of services.

161.26 (b) A district is encouraged to coordinate adult basic education programs provided to
161.27 parents and early childhood family education programs provided to children to accomplish
161.28 the goals of section 124D.895.

161.29 Subd. 9. **District advisory councils.** The board must appoint an advisory council
161.30 from the area in which the program is provided. A majority of the council must be parents
161.31 participating in the program, who represent the demographics of the community. The
161.32 district must ensure, to the extent possible, that the council includes representation of
161.33 families who are racially, culturally, linguistically, and economically diverse. The council
161.34 must assist the board in developing, planning, and monitoring the early childhood family
161.35 education program and the early learning program under section 124D.1295. The council
161.36 must report to the board and the community education advisory council.

162.1 Subd. 10. **Alternative council.** A board may direct the community education
162.2 council, required according to section 124D.19, subdivision 2, to perform the functions of
162.3 the Advisory Council for Early Childhood Family Education.

162.4 Subd. 11. **Teachers.** A school board must employ necessary licensed teachers for its
162.5 early childhood family education programs. The Board of Teaching, at its discretion, may
162.6 grant an applicant a variance under this subdivision, consistent with sections 122A.09,
162.7 subdivision 10, and 122A.25, and Board of Teaching rules.

162.8 Subd. 12. **Assistance.** The department must provide assistance to districts with
162.9 programs described in this section. The department must establish guidelines that list
162.10 barriers to learning and development affecting children served by early childhood family
162.11 education programs.

162.12 Subd. 13. **Program data submission requirements.** Districts receiving early
162.13 childhood family education revenue under section 124D.135 must submit annual program
162.14 data, including data that demonstrates the program response to the community needs
162.15 assessment, to the department by July 15 in the form and manner prescribed by the
162.16 commissioner.

162.17 Subd. 14. **Supervision.** A program provided by a board must be supervised by a
162.18 licensed early childhood teacher or a licensed parent educator.

162.19 Subd. 15. **Parenting education transition program.** To the extent that funds are
162.20 sufficient, early childhood family education may provide parenting education transition
162.21 programming for parents of children birth to grade three in districts in which there is a
162.22 prekindergarten-grade three initiative in order to facilitate continued parent engagement
162.23 in children's learning and development. Early childhood family education programs are
162.24 encouraged to develop partnerships to provide a parenting education liaison to providers
162.25 of other public and nonpublic early learning programs, such as Head Start, school
162.26 readiness, child care, early childhood special education, local public health programs,
162.27 and health care providers.

162.28 **EFFECTIVE DATE.** This section is effective July 1, 2015.

162.29 Sec. 6. Minnesota Statutes 2014, section 124D.135, is amended to read:

162.30 **124D.135 EARLY CHILDHOOD FAMILY EDUCATION (ECFE) REVENUE.**

162.31 Subdivision 1. **Revenue.** The revenue for early childhood family education
162.32 programs for a school district equals ~~\$120 for fiscal year 2014 and the formula allowance~~
162.33 ~~for the year times 0.023 for fiscal year 2015 and later, times the greater of:~~

162.34 (1) 150; or

163.1 (2) the number of people under five years of age residing in the district on October 1
163.2 of the previous school year.

163.3 Subd. 2. **Population.** For the purposes of subdivision 1, data reported to the
163.4 department may be used to determine the number of people under five years of age
163.5 residing in the district. The commissioner, with the assistance of the state demographer,
163.6 shall review the number reported by any district operating an early childhood family
163.7 education program. If requested, the district shall submit to the commissioner an
163.8 explanation of its methods and other information necessary to document accuracy. If the
163.9 commissioner determines that the district has not provided sufficient documentation of
163.10 accuracy, the commissioner may request the state demographer to prepare an estimate of
163.11 the number of people under five years of age residing in the district and may use this
163.12 estimate for the purposes of subdivision 1.

163.13 Subd. 3. **Early childhood family education levy.** By September 30 of each year,
163.14 the commissioner shall establish a tax rate for early childhood family education revenue
163.15 that raises \$22,135,000 in each fiscal year. If the amount of the early childhood family
163.16 education levy would exceed the early childhood family education revenue, the early
163.17 childhood family education levy must equal the early childhood family education revenue.
163.18 A district may not certify an early childhood family education levy unless it has met the
163.19 annual program data reporting requirements under section 124D.13, subdivision 13.

163.20 Subd. 4. **Early childhood family education aid.** If a district complies with the
163.21 provisions of section 124D.13, it must receive early childhood family education aid equal
163.22 to the difference between the early childhood family education revenue and the early
163.23 childhood family education levy. If the district does not levy the entire amount permitted,
163.24 the early childhood family education aid must be reduced in proportion to the actual
163.25 amount levied.

163.26 Subd. 5. **Use of revenue restricted.** (a) Early childhood family education revenue
163.27 may be used only for early learning programs, including early childhood family education
163.28 programs.

163.29 (b) Not more than five percent of early childhood family education revenue, as defined
163.30 in subdivision 7, may be used to administer early childhood family education programs.

163.31 (c) An early childhood family education program may use up to ten percent of its
163.32 early childhood family education revenue as defined in subdivision 1, including revenue
163.33 from participant fees, for equipment that is used in the early childhood family education
163.34 program. This revenue may only be used for the following purposes:

163.35 (1) to purchase or lease computers and related materials; and

164.1 (2) to purchase or lease equipment for instruction for participating children and
164.2 their families.

164.3 If a district anticipates an unusual circumstance requiring its early childhood family
164.4 education program capital expenditures to exceed the ten percent limitation, prior approval
164.5 to exceed the limit must be obtained in writing from the commissioner.

164.6 Subd. 6. **Home visiting levy.** A district that is eligible to levy for early childhood
164.7 family education under subdivision 3 and that enters into a collaborative agreement to
164.8 provide education services and social services to families with young children may levy
164.9 an amount equal to \$1.60 times the number of people under five years of age residing in
164.10 the district on September 1 of the last school year. Levy revenue under this subdivision
164.11 must not be included as revenue under subdivision 1. The revenue must be used for home
164.12 visiting programs under section 124D.13, subdivision 4.

164.13 Subd. 7. **Reserve account.** Early childhood family education revenue, which
164.14 includes aids, levies, fees, grants, and all other revenues received by the district for early
164.15 childhood family education programs, must be maintained in either an early learning
164.16 program reserve account or a separate early childhood family education reserve account
164.17 within the community service fund.

164.18 **EFFECTIVE DATE.** This section is effective July 1, 2015.

164.19 Sec. 7. Minnesota Statutes 2014, section 124D.16, is amended to read:

164.20 **124D.16 SCHOOL READINESS AID.**

164.21 Subd. 2. **Amount of aid.** (a) A district is eligible to receive school readiness aid
164.22 for eligible prekindergarten pupils enrolled in a school readiness program under section
164.23 124D.15 if the biennial plan required by section 124D.15, subdivision 3a, has been
164.24 approved by the commissioner.

164.25 (b) A district must receive school readiness aid equal to:

164.26 (1) the number of four-year-old children in the district on October 1 for the previous
164.27 school year times the ratio of 50 percent of the total school readiness aid for that year to
164.28 the total number of four-year-old children reported to the commissioner for the previous
164.29 school year; plus

164.30 (2) the number of pupils enrolled in the school district from families eligible for the
164.31 free or reduced school lunch program for the previous school year times the ratio of
164.32 50 percent of the total school readiness aid for that year to the total number of pupils
164.33 in the state from families eligible for the free or reduced school lunch program for the
164.34 previous school year.

165.1 (c) For fiscal year ~~2015~~ 2016 and later, the total school readiness aid entitlement
165.2 equals ~~\$12,170,000~~ \$17,170,000.

165.3 Subd. 3. **Use of aid.** School readiness aid shall be used only to provide a school
165.4 readiness program or an early learning program and may be used to provide transportation.
165.5 Not more than five percent of program revenue, as defined in subdivision 5, may be used
165.6 for the cost of administering the program. Aid must be used to supplement and not supplant
165.7 local, state, and federal funding. Aid may not be used for instruction and services required
165.8 under sections 125A.03 to 125A.24 and 125A.65. Aid may not be used to purchase land
165.9 or construct buildings, but may be used to lease or renovate existing buildings.

165.10 Subd. 5. **Reserve account.** School readiness revenue, which includes aids, fees,
165.11 grants, and all other revenues received by the district school readiness programs, must
165.12 be maintained in either an early learning program reserve account or a separate school
165.13 readiness reserve account within the community service fund.

165.14 **EFFECTIVE DATE.** This section is effective July 1, 2015.

165.15 Sec. 8. Minnesota Statutes 2014, section 124D.165, is amended to read:

165.16 **124D.165 EARLY LEARNING SCHOLARSHIPS.**

165.17 Subdivision 1. **Establishment; purpose.** There is established within the Office of
165.18 Early Learning an early learning scholarships program ~~in order~~ to increase access to
165.19 high-quality early childhood programs for children ages three to five.

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

165.22 (1) have a child three or four years of age on September 1 of the current school year,
165.23 who has not yet started kindergarten; and

165.24 (2) have income equal to or less than 185 percent of federal poverty level income
165.25 in the current calendar year, or be able to document their child's current participation in
165.26 the free and reduced-price lunch program or child and adult care food program, National
165.27 School Lunch Act, United States Code, title 42, sections 1751 and 1766; the Food
165.28 Distribution Program on Indian Reservations, Food and Nutrition Act, United States
165.29 Code, title 7, sections 2011-2036; Head Start under the federal Improving Head Start for
165.30 School Readiness Act of 2007; Minnesota family investment program under chapter 256J;
165.31 child care assistance programs under chapter 119B; the supplemental nutrition assistance
165.32 program; or placement in foster care under section 260C.212.

165.33 (b) Notwithstanding the other provisions of this section, a parent under age 21 who
165.34 is pursuing a high school or general education equivalency diploma or postsecondary

166.1 training or education is eligible for an early learning scholarship if the parent has a child
166.2 age zero to five years old and meets the income eligibility guidelines in this subdivision.

166.3 (c) Any siblings between the ages zero to five years old of a child who has been
166.4 awarded a scholarship under this section must be awarded a scholarship upon request,
166.5 provided the sibling attends the same program as long as funds are available.

166.6 (d) Beginning September 1, 2015, any child under the age of five years old on
166.7 September 1 of the current school year who has not started kindergarten and is a recipient
166.8 of an early learning scholarship funded under the federal Race to the Top - Early Learning
166.9 Challenge Grant must receive a scholarship under this section at the end of the child's Race
166.10 to the Top - Early Learning Challenge Grant scholarship as long as funds are available.

166.11 (d) (e) A child who has received a scholarship under this section must continue to
166.12 receive a scholarship each year until that child is eligible for kindergarten under section
166.13 120A.20 and as long as funds are available.

166.14 (e) (f) Early learning scholarships may not be counted as earned income for the
166.15 purposes of medical assistance under chapter 256B, MinnesotaCare under chapter 256L,
166.16 Minnesota family investment program under chapter 256J, child care assistance programs
166.17 under chapter 119B, or Head Start under the federal Improving Head Start for School
166.18 Readiness Act of 2007.

166.19 (g) A child from an adjoining state whose family resides at a Minnesota address as
166.20 assigned by the United States Postal Service, who has received developmental screening
166.21 under sections 121A.16 to 121A.19, who intends to enroll in a Minnesota school district,
166.22 and whose family meets the criteria of paragraph (a) is eligible for an early learning
166.23 scholarship under this section.

166.24 (h) County human services agencies working with families eligible for the basic
166.25 sliding fee child care program under chapter 119B, including the families on the basic
166.26 sliding fee waiting list, annually may notify these families by mail about the eligibility
166.27 criteria and the application process for receiving an early learning scholarship under
166.28 this section.

166.29 Subd. 3. **Administration.** (a) The ~~commissioner~~ director of the Office of Early
166.30 Learning shall establish application timelines and determine the schedule for awarding
166.31 scholarships that meets operational needs of eligible families and programs.

166.32 (b) The ~~commissioner~~ director may prioritize applications on factors including:

166.33 (1) family income;

166.34 (2) geographic location; and

166.35 (3) whether the ~~child's family~~ child:

166.36 (i) is in foster care;

167.1 (ii) is experiencing homelessness;

167.2 (iii) is on a waiting list for a publicly funded program providing early education
167.3 or child care services; or

167.4 (iv) has a parent under age 21 who is pursuing a high school or postsecondary
167.5 training or education.

167.6 ~~(b)~~ (c) For fiscal years 2014 and 2015 only, scholarships may not exceed \$5,000
167.7 per year for each eligible child. For fiscal year 2016 and later, the ~~commissioner~~ director
167.8 shall establish a target for the average scholarship amount per child based on the results
167.9 of the rate survey conducted under section 119B.02, not to exceed the statewide general
167.10 education revenue per pupil in adjusted average daily membership. The director may
167.11 increase by up to 15 percent the scholarship amount for children enrolled in a three-star
167.12 Parent Aware-rated program and may increase by up to 20 percent the scholarship amount
167.13 for children enrolled in a four-star Parent Aware-rated program so long as any increase
167.14 added to the average scholarship amount does not exceed the actual program rate or tuition.

167.15 ~~(e)~~ (d) A four-star rated program that has children eligible for a scholarship enrolled
167.16 in or on a waiting list for a program beginning in July, August, or September may notify
167.17 the ~~commissioner~~ director, in the form and manner prescribed by the ~~commissioner~~
167.18 director, each year of the program's desire to enhance program services or to serve more
167.19 children than current funding provides. The ~~commissioner~~ director may designate a
167.20 predetermined number of scholarship slots for that program and notify the program of
167.21 that number. Beginning July 1, 2016, a school district or Head Start program qualifying
167.22 under this paragraph, a licensed child care center, or a family child care provider
167.23 may use its established registration process to enroll scholarship recipients and may
167.24 verify a scholarship recipient's family income in the same manner as for other program
167.25 participants. Scholarships awarded under this paragraph must be paid to the eligible
167.26 program provider designated by the award recipient, and must be transferred to another
167.27 eligible program provider at the recipient's request.

167.28 ~~(d)~~ (e) A scholarship is awarded for a 12-month period. If the scholarship recipient
167.29 has not been accepted and subsequently enrolled in a rated program within ten months of
167.30 the awarding of the scholarship, the scholarship cancels and the recipient must reapply in
167.31 order to be eligible for another scholarship. A child may not be awarded more than one
167.32 scholarship in a 12-month period.

167.33 ~~(e)~~ (f) A child who receives a scholarship who has not completed development
167.34 screening under sections 121A.16 to 121A.19 must complete that screening within 90
167.35 days of first attending an eligible program.

168.1 ~~(f)~~ (g) For fiscal year ~~2017~~ 2016 and later, a ~~school district or Head Start program~~
 168.2 ~~enrolling scholarship recipients under paragraph (e) may apply to the commissioner, in~~
 168.3 ~~the form and manner prescribed by the commissioner, for direct payment of state aid.~~
 168.4 ~~Upon receipt of the application, the commissioner must pay each program directly for~~
 168.5 ~~each approved scholarship recipient enrolled under paragraph (e) according to the metered~~
 168.6 ~~payment system or another schedule established by the commissioner. the total amount of~~
 168.7 ~~funding directly allocated to a program under paragraph (d) must not exceed the amount~~
 168.8 ~~directly awarded to those programs in fiscal year 2015.~~

168.9 Subd. 4. **Early childhood program eligibility.** ~~(a) In order~~ To be eligible to accept
 168.10 an early learning scholarship, a program must:

168.11 (1) participate in the quality rating and improvement system under section
 168.12 124D.142; and

168.13 (2) beginning July 1, ~~2016~~ 2020, have a three- or four-star rating in the quality rating
 168.14 and improvement system or be a program the director determines is eligible based on an
 168.15 evidence-based program evaluation or program review.

168.16 ~~(b) Any program accepting scholarships must use the revenue to supplement and not~~
 168.17 ~~supplant federal funding.~~

168.18 ~~(e)~~ (b) Notwithstanding paragraph (a), all Minnesota early learning foundation
 168.19 scholarship program pilot sites are eligible to accept an early learning scholarship under
 168.20 this section.

168.21 (c) A provider is not eligible to participate in the scholarship program under this
 168.22 section if:

168.23 (1) the provider has been disqualified from receiving payment for child care services
 168.24 from the child care assistance program under chapter 119B due to wrongfully obtaining
 168.25 child care assistance under section 256.98, subdivision 8, paragraph (c);

168.26 (2) the program or individual is currently on the national disqualified list for the
 168.27 Child and Adult Care Food Program; or

168.28 (3) the program or provider has been convicted of any activity that occurred during
 168.29 the past seven years indicating a lack of business integrity, including fraud, making false
 168.30 statements, receiving stolen property, making false claims, or obstruction of justice.

168.31 Subd. 4a. **Record-keeping requirements.** A program participating under this
 168.32 section must maintain and, at the director's request, make available to the director the
 168.33 attendance records and records of charges and payments for all children participating in
 168.34 this program, including payments from sources other than this program.

168.35 Subd. 5. **Report required.** ~~The commissioner~~ director shall contract with an
 168.36 independent contractor to evaluate the early learning scholarship program. The evaluation

169.1 must include recommendations regarding the appropriate scholarship amount, efficiency,
169.2 and effectiveness of the administration, and impact on kindergarten readiness. By January
169.3 15, 2016, the ~~commissioner~~ director shall submit a written copy of the evaluation to the
169.4 chairs and ranking minority members of the legislative committees and divisions with
169.5 primary jurisdiction over kindergarten through grade 12 education.

169.6 Subd. 6. Use of funds. (a) Scholarships must be used to supplement and not
169.7 supplant federal funding.

169.8 (b) A scholarship must be used in a program the child regularly attends to ensure
169.9 the child's access to the general curriculum of the program, consistent with the program
169.10 schedule.

169.11 **EFFECTIVE DATE.** This section is effective for fiscal year 2016 and later.

169.12 Sec. 9. Minnesota Statutes 2014, section 125A.03, is amended to read:

169.13 **125A.03 SPECIAL INSTRUCTION FOR CHILDREN WITH A DISABILITY.**

169.14 (a) As defined in paragraph (b), every district must provide special instruction and
169.15 services, either within the district or in another district, for all children with a disability,
169.16 including providing required services under Code of Federal Regulations, title 34, section
169.17 300.121, paragraph (d), to those children suspended or expelled from school for more than
169.18 ten school days in that school year, who are residents of the district and who are disabled
169.19 as set forth in section 125A.02. For purposes of state and federal special education laws,
169.20 the phrase "special instruction and services" in the state Education Code means a free
169.21 and appropriate public education provided to an eligible child with disabilities. "Free
169.22 appropriate public education" means special education and related services that:

169.23 (1) are provided at public expense, under public supervision and direction, and
169.24 without charge;

169.25 (2) meet the standards of the state, including the requirements of the Individuals
169.26 with Disabilities Education Act, Part B or C;

169.27 (3) include an appropriate preschool, elementary school, or secondary school
169.28 education; and

169.29 (4) are provided to children ages three through 21 in conformity with an
169.30 individualized education program that meets the requirements of the Individuals with
169.31 Disabilities Education Act, subpart A, sections 300.320 to 300.324, and provided to
169.32 infants and toddlers in conformity with an individualized family service plan that meets
169.33 the requirements of the Individuals with Disabilities Education Act, subpart A, sections
169.34 303.300 to 303.346.

170.1 (b) Notwithstanding any age limits in laws to the contrary, special instruction and
 170.2 services must be provided from birth until July 1 after the child with a disability becomes
 170.3 21 years old but shall not extend beyond secondary school or its equivalent, except as
 170.4 provided in section 124D.68, subdivision 2. Local health, education, and social service
 170.5 agencies must refer children under age five who are known to need or suspected of
 170.6 needing special instruction and services to the school district. Districts with less than the
 170.7 minimum number of eligible children with a disability as determined by the commissioner
 170.8 must cooperate with other districts to maintain a full range of programs for education
 170.9 and services for children with a disability. This section does not alter the compulsory
 170.10 attendance requirements of section 120A.22.

170.11 (c) At the board's discretion, a school district that participates in a reciprocity
 170.12 agreement with a neighboring state under section 124D.041 may enroll and provide
 170.13 special instruction and services to a child from an adjoining state whose family resides
 170.14 at a Minnesota address as assigned by the United States Postal Service if the district has
 170.15 completed child identification procedures for that child to determine the child's eligibility
 170.16 for special education services, and the child has received developmental screening under
 170.17 sections 121A.16 to 121A.19.

170.18 **EFFECTIVE DATE.** This section is effective July 1, 2015.

170.19 Sec. 10. **APPROPRIATIONS.**

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

170.23 Subd. 2. **School readiness.** For revenue for school readiness programs under
 170.24 Minnesota Statutes, sections 124D.15 and 124D.16:

170.25	\$	<u>16,670,000</u>	<u>2016</u>
170.26	\$	<u>17,170,000</u>	<u>2017</u>

170.27 The 2016 appropriation includes \$1,217,000 for 2015 and \$15,453,000 for 2016.
 170.28 The 2017 appropriation includes \$1,717,000 for 2016 and \$15,453,000 for 2017.

170.29 Subd. 3. **Early childhood family education aid.** For early childhood family
 170.30 education aid under Minnesota Statutes, section 124D.135:

170.31	\$	<u>27,698,000</u>	<u>2016</u>
170.32	\$	<u>28,346,000</u>	<u>2017</u>

170.33 The 2016 appropriation includes \$2,713,000 for 2015 and \$24,985,000 for 2016.

171.1 The 2017 appropriation includes \$2,776,000 for 2016 and \$25,570,000 for 2017.

171.2 Subd. 4. **Developmental screening aid.** For developmental screening aid under
 171.3 Minnesota Statutes, sections 121A.17 and 121A.19:

171.4 \$ 3,363,000 2016

171.5 \$ 3,369,000 2017

171.6 The 2016 appropriation includes \$338,000 for 2015 and \$3,025,000 for 2016.

171.7 The 2017 appropriation includes \$336,000 for 2016 and \$3,033,000 for 2017.

171.8 Subd. 5. **Head Start program.** (a) For Head Start programs under Minnesota
 171.9 Statutes, section 119A.52:

171.10 \$ 20,100,000 2016

171.11 \$ 20,100,000 2017

171.12 (b) Head Start programs must use the funds under this subdivision to increase the
 171.13 number of eligible children served beyond the number of eligible children served under
 171.14 federal funds.

171.15 (c) No Head Start programs providing compensation or other employment benefits
 171.16 that exceed established federal limits may receive funding under this subdivision.

171.17 Subd. 6. **Educate parents partnership.** For the educate parents partnership under
 171.18 Minnesota Statutes, section 124D.129:

171.19 \$ 49,000 2016

171.20 \$ 49,000 2017

171.21 Subd. 7. **Kindergarten entrance assessment initiative and intervention**
 171.22 program. For the kindergarten entrance assessment initiative and intervention program
 171.23 under Minnesota Statutes, section 124D.162:

171.24 \$ 281,000 2016

171.25 \$ 281,000 2017

171.26 Subd. 8. **Early learning scholarships.** For the early learning scholarship program
 171.27 under Minnesota Statutes, section 124D.165:

171.28 \$ 37,884,000 2016

171.29 \$ 47,884,000 2017

171.30 Up to \$950,000 each year is for administration of this program.

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

172.1 Subd. 9. **Parent-child home program.** For a grant to the parent-child home
 172.2 program:

172.3 \$ 350,000 2016

172.4 \$ 350,000 2017

172.5 The grant must be used for an evidence-based and research-validated early childhood
 172.6 literacy and school readiness program for children ages 16 months to four years at its
 172.7 existing suburban program location. The program must include urban and rural program
 172.8 locations for fiscal years 2016 and 2017.

172.9 Subd. 10. **Northside Achievement Zone.** For a grant to the Northside Achievement
 172.10 Zone:

172.11 \$ 200,000 2016

172.12 \$ 200,000 2017

172.13 Funds appropriated in this section are to reduce multigenerational poverty and the
 172.14 educational achievement gap through increased enrollment of families within the zone,
 172.15 and may be used for Northside Achievement Zone programming and services consistent
 172.16 with federal Promise Neighborhood program agreements and requirements.

172.17 Subd. 11. **St. Paul Promise Neighborhood.** For a grant to the St. Paul Promise
 172.18 Neighborhood:

172.19 \$ 200,000 2016

172.20 \$ 200,000 2017

172.21 Funds appropriated in this section are to reduce multigenerational poverty and the
 172.22 educational achievement gap through increased enrollment of families within the zone,
 172.23 and may be used for St. Paul Promise Neighborhood programming and services consistent
 172.24 with federal Promise Neighborhood program agreements and requirements.

172.25 Subd. 12. **Quality Rating System.** For transfer to the commissioner of human
 172.26 services for the purposes of expanding the Quality Rating and Improvement System under
 172.27 Minnesota Statutes, section 124D.142, in greater Minnesota and increasing supports for
 172.28 providers participating in the Quality Rating and Improvement System:

172.29 \$ 1,200,000 2016

172.30 \$ 2,300,000 2017

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

173.1 **ARTICLE 10**
 173.2 **PREVENTION**

173.3 Section 1. **APPROPRIATION.**

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

173.7 **Subd. 2. Community education aid.** For community education aid under
 173.8 Minnesota Statutes, section 124D.20:

173.9	\$	<u>788,000</u>	<u>.....</u>	<u>2016</u>
173.10	\$	<u>554,000</u>	<u>.....</u>	<u>2017</u>

173.11 The 2016 appropriation includes \$107,000 for 2015 and \$681,000 for 2016.
 173.12 The 2017 appropriation includes \$75,000 for 2016 and \$479,000 for 2017.

173.13 **Subd. 3. Adults with disabilities program aid.** For adults with disabilities
 173.14 programs under Minnesota Statutes, section 124D.56:

173.15	\$	<u>710,000</u>	<u>.....</u>	<u>2016</u>
173.16	\$	<u>710,000</u>	<u>.....</u>	<u>2017</u>

173.17 The 2016 appropriation includes \$71,000 for 2015 and \$639,000 for 2016.
 173.18 The 2017 appropriation includes \$71,000 for 2016 and \$639,000 for 2017.

173.19 **Subd. 4. Hearing-impaired adults.** For programs for hearing-impaired adults
 173.20 under Minnesota Statutes, section 124D.57:

173.21	\$	<u>70,000</u>	<u>.....</u>	<u>2016</u>
173.22	\$	<u>70,000</u>	<u>.....</u>	<u>2017</u>

173.23 **Subd. 5. School-age care revenue.** For extended day aid under Minnesota Statutes,
 173.24 section 124D.22:

173.25	\$	<u>1,000</u>	<u>.....</u>	<u>2016</u>
173.26	\$	<u>1,000</u>	<u>.....</u>	<u>2017</u>

173.27 The 2016 appropriation includes \$0 for 2015 and \$1,000 for 2016.
 173.28 The 2017 appropriation includes \$0 for 2016 and \$1,000 for 2017.

ARTICLE 11

SELF-SUFFICIENCY AND LIFELONG LEARNING

Section 1. Minnesota Statutes 2014, section 124D.531, subdivision 1, is amended to read:

Subdivision 1. **State total adult basic education aid.** (a) The state total adult basic education aid for fiscal year 2011 equals \$44,419,000, plus any amount that is not paid during the previous fiscal year as a result of adjustments under subdivision 4, paragraph (a), or section 124D.52, subdivision 3. The state total adult basic education aid for later fiscal years equals:

(1) the state total adult basic education aid for the preceding fiscal year plus any amount that is not paid for during the previous fiscal year, as a result of adjustments under subdivision 4, paragraph (a), or section 124D.52, subdivision 3; times

(2) the lesser of:

(i) ~~1.03~~ 1.005; or

(ii) the average growth in state total contact hours over the prior ten program years.

Three percent of the state total adult basic education aid must be set aside for adult basic education supplemental service grants under section 124D.522.

(b) The state total adult basic education aid, excluding basic population aid, equals the difference between the amount computed in paragraph (a), and the state total basic population aid under subdivision 2.

EFFECTIVE DATE. This section is effective for fiscal year 2016 and later.

Sec. 2. Minnesota Statutes 2014, section 124D.531, subdivision 2, is amended to read:

Subd. 2. **Basic population aid.** (a) A district is eligible for basic population aid if the district has a basic service level approved by the commissioner under section 124D.52, subdivision 5, or is a member of a consortium with an approved basic service level. Basic population aid is equal to the greater of \$3,844 or \$1.73 times the population of the district. District population is determined according to section 275.14.

(b) The basic population aid for approved community-based providers of an adult basic education program without a specific defined district population equals \$1.73 times the number of students participating in the program during the previous calendar year.

EFFECTIVE DATE. This section is effective for revenue for fiscal year 2016 and later.

175.1 Sec. 3. Minnesota Statutes 2014, section 124D.531, subdivision 3, is amended to read:

175.2 Subd. 3. **Program revenue.** Adult basic education programs established under
175.3 section 124D.52 and approved by the commissioner are eligible for revenue under this
175.4 subdivision. ~~For fiscal year 2001 and later,~~ Adult basic education revenue for each
175.5 approved program equals the sum of:

175.6 (1) the basic population aid under subdivision 2 for districts participating in the
175.7 program during the current program year; ~~plus~~

175.8 (2) 84 percent times the amount computed in subdivision 1, paragraph (b), times the
175.9 ratio of the contact hours for students participating in the program during the first prior
175.10 program year to the state total contact hours during the first prior program year; ~~plus~~

175.11 (3) eight percent times the amount computed in subdivision 1, paragraph (b), times
175.12 the ratio of the enrollment of English learners during the second prior school year in
175.13 districts participating in the program during the current program year to the state total
175.14 enrollment of English learners during the second prior school year in districts participating
175.15 in adult basic education programs during the current program year; ~~plus~~

175.16 (4) eight percent times the amount computed in subdivision 1, paragraph (b), times
175.17 the ratio of the latest federal census count of the number of adults aged 25 or older with no
175.18 diploma residing in the districts participating in the program during the current program
175.19 year to the latest federal census count of the state total number of adults aged 25 or older
175.20 with no diploma residing in the districts participating in adult basic education programs
175.21 during the current program year; and

175.22 (5) for an approved community-based provider of an adult basic education program
175.23 without district characteristics necessary to calculate revenue under clauses (3) and (4),
175.24 the average revenue per participant for programs receiving revenue under those clauses
175.25 for the previous year, times the program's participants for the previous year.

175.26 **EFFECTIVE DATE.** This section is effective for revenue for fiscal year 2016
175.27 and later.

175.28 Sec. 4. **APPROPRIATIONS.**

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

175.32 **Subd. 2. Adult basic education aid.** For adult basic education aid under Minnesota
175.33 Statutes, section 124D.531:

177.1 of the school administrator's suspension. The executive secretary shall deposit the fees in
 177.2 the educator licensure account in the special revenue fund in the state treasury.

177.3 Sec. 3. Minnesota Statutes 2014, section 122A.18, subdivision 7c, is amended to read:

177.4 Subd. 7c. **Temporary military license.** The Board of Teaching shall establish
 177.5 a temporary license in accordance with section 197.4552 for teaching. The fee for a
 177.6 temporary license under this subdivision shall be \$87.90 for an online application or
 177.7 \$86.40 for a paper application. Fee revenue must be deposited in the educator licensure
 177.8 account in the special revenue fund.

177.9 Sec. 4. Minnesota Statutes 2014, section 122A.18, subdivision 8, is amended to read:

177.10 Subd. 8. **Background checks.** (a) The Board of Teaching and the commissioner
 177.11 of education must request a criminal history background check from the superintendent
 177.12 of the Bureau of Criminal Apprehension on all applicants for initial licenses under their
 177.13 jurisdiction. An application for a license under this section must be accompanied by:

177.14 (1) an executed criminal history consent form, including fingerprints; and
 177.15 (2) ~~a money order or cashier's check payable to the Bureau of Criminal Apprehension~~
 177.16 ~~for the fee for conducting~~ payment to conduct the criminal history background check.
 177.17 Proceeds from this fee must be deposited in the educator licensure background check
 177.18 account in the special revenue fund.

177.19 (b) The superintendent of the Bureau of Criminal Apprehension shall perform the
 177.20 background check required under paragraph (a) by retrieving criminal history data as
 177.21 defined in section 13.87 and shall also conduct a search of the national criminal records
 177.22 repository. The superintendent is authorized to exchange fingerprints with the Federal
 177.23 Bureau of Investigation for purposes of the criminal history check. The superintendent
 177.24 shall recover the cost to the bureau of a background check through the fee charged to
 177.25 the applicant under paragraph (a).

177.26 (c) The Board of Teaching or the commissioner of education may issue a license
 177.27 pending completion of a background check under this subdivision, but must notify
 177.28 the individual that the individual's license may be revoked based on the result of the
 177.29 background check.

177.30 Sec. 5. **[122A.185] SPECIAL REVENUE FUND ACCOUNTS; EDUCATOR**
 177.31 **LICENSURE AND BACKGROUND CHECKS.**

177.32 Subdivision 1. **Educator licensure account.** An educator licensure account is
 177.33 created in the special revenue fund. Fees received by the Department of Education, the

178.1 Board of Teaching, or the Board of Administrators must be deposited in the educator
178.2 licensure account. Any funds appropriated from this account that remain unexpended at the
178.3 end of the biennium cancel to the educator licensure account in the special revenue fund.

178.4 Subd. 2. **Background check account.** An educator licensure background check
178.5 account is created in the special revenue fund. Payments received by the Department of
178.6 Education, the Board of Teaching, or the Board of Administrators for the costs of the
178.7 background checks to be conducted by the Bureau of Criminal Apprehension must be
178.8 deposited in the education licensure background check account. Amounts in the account
178.9 are appropriated to the commissioner of education for payment to the superintendent of
178.10 the Bureau of Criminal Apprehension for the costs of background checks on applicants
178.11 for licensure.

178.12 Sec. 6. Minnesota Statutes 2014, section 122A.21, subdivision 1, is amended to read:

178.13 Subdivision 1. **Licensure applications.** Each application for the issuance, renewal,
178.14 or extension of a license to teach, including applications for licensure via portfolio under
178.15 subdivision 2, must be accompanied by a processing fee of \$57. Each application for
178.16 issuing, renewing, or extending the license of a school administrator or supervisor must
178.17 be accompanied by a processing fee in the amount set by the Board of Teaching. The
178.18 processing fee for a teacher's license and for the licenses of supervisory personnel must be
178.19 paid to the executive secretary of the appropriate board. ~~The executive secretary of the~~
178.20 ~~board shall deposit the fees with the commissioner of management and budget~~ must be
178.21 deposited in the educator licensure account in the special revenue fund. The fees as set by
178.22 the board are nonrefundable for applicants not qualifying for a license. However, a fee
178.23 must be refunded by the commissioner of management and budget in any case in which
178.24 the applicant already holds a valid unexpired license. The board may waive or reduce fees
178.25 for applicants who apply at the same time for more than one license.

178.26 Sec. 7. Minnesota Statutes 2014, section 122A.21, subdivision 2, is amended to read:

178.27 Subd. 2. **Licensure via portfolio.** (a) An eligible candidate may use licensure
178.28 via portfolio to obtain an initial licensure or to add a licensure field, consistent with the
178.29 applicable Board of Teaching licensure rules.

178.30 (b) A candidate for initial licensure must submit to the Educator Licensing Division
178.31 at the department one portfolio demonstrating pedagogical competence and one portfolio
178.32 demonstrating content competence.

178.33 (c) A candidate seeking to add a licensure field must submit to the Educator
178.34 Licensing Division at the department one portfolio demonstrating content competence.

179.1 (d) A candidate must pay to the executive secretary of the Board of Teaching a
 179.2 \$300 fee for the first portfolio submitted for review and a \$200 fee for any portfolio
 179.3 submitted subsequently. The fees must be paid to the executive secretary of the Board of
 179.4 Teaching. The revenue generated from the fee must be deposited in an education licensure
 179.5 ~~portfolio~~ account in the special revenue fund. The fees set by the Board of Teaching are
 179.6 nonrefundable for applicants not qualifying for a license. The Board of Teaching may
 179.7 waive or reduce fees for candidates based on financial need.

179.8 **Sec. 8. TRANSFERS.**

179.9 Subdivision 1. **Portfolio account.** On July 1, 2015, the commissioner of management
 179.10 and budget shall transfer any balances in the educator licensure portfolio account in the
 179.11 special revenue fund to an educator licensure account in the special revenue fund.

179.12 Subd. 2. **Background check.** Any balance in an account that holds fees collected
 179.13 under Minnesota Statutes, section 122A.18, subdivision 8, is transferred to the education
 179.14 licensure background check account in the special revenue fund in Minnesota Statutes,
 179.15 122A.185, subdivision 2. On July 2, 2015, \$80,000 is transferred from the education
 179.16 licensure background check account in the special revenue fund to the educator licensure
 179.17 account in the special revenue fund.

179.18 **Sec. 9. APPROPRIATIONS; DEPARTMENT OF EDUCATION.**

179.19 Subdivision 1. **Department of Education.** Unless otherwise indicated, the sums
 179.20 indicated in this section are appropriated from the general fund to the Department of
 179.21 Education for the fiscal years designated.

179.22 Subd. 2. **Department.** (a) For the Department of Education:

179.23 \$ 18,032,000 2016

179.24 \$ 17,652,000 2017

179.25 (b) The fiscal year 2016 appropriation includes \$17,142,000 from the general fund
 179.26 and \$890,000 from the educator licensure account in the special revenue fund. The fiscal
 179.27 year 2017 appropriation includes \$16,867,000 from the general fund and \$745,000 from
 179.28 the educator licensure account in the special revenue fund.

179.29 (c) Of these amounts:

179.30 (1) \$260,000 each year is for the Minnesota Children's Museum;

179.31 (2) \$50,000 each year is for the Duluth Children's Museum;

179.32 (3) \$41,000 each year is for the Minnesota Academy of Science; and

180.1 (4) \$25,000 each year is for administration of the Innovative Education Pilot under
180.2 Laws 2012, chapter 263, section 1.

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

180.4 (e) None of the amounts appropriated under this subdivision may be used for
180.5 Minnesota's Washington, D.C. office.

180.6 (f) The expenditures of federal grants and aids as shown in the biennial budget
180.7 document and its supplements are approved and appropriated and shall be spent as
180.8 indicated.

180.9 (g) This appropriation includes funds for information technology project services and
180.10 support subject to the provisions of Minnesota Statutes, section 16E.0466. Any ongoing
180.11 information technology costs will be incorporated into the service level agreement and
180.12 will be paid to the Office of MN.IT Services by the Department of Education under the
180.13 rates and mechanism specified in that agreement.

180.14 (h) \$720,000 in fiscal year 2016 and \$720,000 in fiscal year 2017 of the appropriation
180.15 in paragraph (a) are from the educator licensure account in the special revenue fund for the
180.16 educator licensure division to support the Boards of Teaching and Administrators.

180.17 (i) \$50,000 in fiscal year 2016 of the appropriation in paragraph (a) is from the
180.18 educator licensure account in the special revenue fund for IT-related costs associated with
180.19 rulemaking for out-of-state teacher candidates.

180.20 (j) \$120,000 in fiscal year 2016 and \$25,000 in fiscal year 2017 in paragraph (a)
180.21 are from the educator licensure account in the special revenue fund for IT-related costs
180.22 associated with establishing interstate teacher licensure agreements.

180.23 (k) \$23,000 each year is for collecting data on the number of deaths and
180.24 hospitalizations for students who participate in travel abroad programs.

180.25 (l) \$58,000 each year is for the Board of School Administrators.

180.26 **Sec. 10. APPROPRIATIONS; BOARD OF TEACHING.**

180.27 (a) \$618,000 in fiscal year 2016 and \$618,000 in fiscal year 2017 are appropriated
180.28 from the educator licensure account in the special revenue fund to the Board of Teaching.

180.29 (b) \$130,000 in fiscal year 2016 is appropriated from the educator licensure account
180.30 in the special revenue fund for rulemaking related to additional teacher licensure activities.

180.31 (c) \$25,000 in fiscal year 2016 and \$25,000 in fiscal year 2017 are appropriated from
180.32 the educator licensure account in the special revenue fund for travel and communications
180.33 costs associated with establishing interstate teacher licensure agreements with adjoining
180.34 states.

181.1 **Sec. 11. APPROPRIATIONS; BOARD OF SCHOOL ADMINISTRATORS.**

181.2 \$167,000 in fiscal year 2016 and \$167,000 in fiscal year 2017 are appropriated
 181.3 from the educator licensure account in the special revenue fund to the Board of School
 181.4 Administrators.

181.5 **Sec. 12. APPROPRIATIONS; MINNESOTA STATE ACADEMIES.**

181.6 (a) The sums indicated in this section are appropriated from the general fund to the
 181.7 Minnesota State Academies for the Deaf and the Blind for the fiscal years designated:

181.8	\$	<u>12,672,000</u>	<u>.....</u>	<u>2016</u>
181.9	\$	<u>12,454,000</u>	<u>.....</u>	<u>2017</u>

181.10 (b) Of the amounts appropriated in paragraph (a), \$708,000 in fiscal year 2016 and
 181.11 \$490,000 in fiscal year 2017 are for technology enhancements and may be used for:

181.12 (1) computer hardware; (2) computer software; (3) connectivity, communications, and
 181.13 infrastructure; (4) assistive technology; (5) access to electronic books and other online
 181.14 materials, licenses, and subscriptions; and (6) technology staff and training costs.

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

181.16 (d) The base for 2018 and later is \$11,964,000.

181.17 **Sec. 13. APPROPRIATIONS; PERPICH CENTER FOR ARTS EDUCATION.**

181.18 The sums in this section are appropriated from the general fund to the Perpich
 181.19 Center for Arts Education for the fiscal years designated:

181.20	\$	<u>6,773,000</u>	<u>.....</u>	<u>2016</u>
181.21	\$	<u>6,773,000</u>	<u>.....</u>	<u>2017</u>

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

181.23 **ARTICLE 13**

181.24 **FORECAST ADJUSTMENTS**

181.25 **A. GENERAL EDUCATION**

181.26 Section 1. Laws 2013, chapter 116, article 1, section 58, subdivision 2, as amended
 181.27 by Laws 2013, chapter 144, section 7, and Laws 2014, chapter 312, article 15, section
 181.28 26, is amended to read:

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

182.1 \$ 6,851,419,000 2014
 182.2 ~~6,464,199,000~~
 182.3 \$ 6,443,330,000 2015

182.4 The 2014 appropriation includes \$780,156,000 for 2013 and \$6,071,263,000 for
 182.5 2014.

182.6 The 2015 appropriation includes ~~\$589,095,000~~ \$586,824,000 for 2014 and
 182.7 ~~\$5,875,104,000~~ \$5,856,506,000 for 2015.

182.8 Sec. 2. Laws 2013, chapter 116, article 1, section 58, subdivision 3, as amended by
 182.9 Laws 2014, chapter 312, article 22, section 1, is amended to read:

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

182.13 \$ 37,000 2014
 182.14 ~~40,000~~
 182.15 \$ 36,000 2015

182.16 Sec. 3. Laws 2013, chapter 116, article 1, section 58, subdivision 4, as amended by
 182.17 Laws 2014, chapter 312, article 22, section 2, is amended to read:

182.18 Subd. 4. **Abatement revenue.** For abatement aid under Minnesota Statutes, section
 182.19 127A.49:

182.20 \$ 2,876,000 2014
 182.21 ~~3,103,000~~
 182.22 \$ 2,796,000 2015

182.23 The 2014 appropriation includes \$301,000 for 2013 and \$2,575,000 for 2014.

182.24 The 2015 appropriation includes \$286,000 for 2014 and ~~\$2,817,000~~ \$2,510,000
 182.25 for 2015.

182.26 Sec. 4. Laws 2013, chapter 116, article 1, section 58, subdivision 5, as amended by
 182.27 Laws 2014, chapter 312, article 22, section 3, is amended to read:

182.28 Subd. 5. **Consolidation transition.** For districts consolidating under Minnesota
 182.29 Statutes, section 123A.485:

182.30 \$ 585,000 2014
 182.31 ~~254,000~~
 182.32 \$ 263,000 2015

182.33 The 2014 appropriation includes \$40,000 for 2013 and \$545,000 for 2014.

182.34 The 2015 appropriation includes \$60,000 for 2014 and ~~\$194,000~~ \$203,000 for 2015.

183.1 Sec. 5. Laws 2013, chapter 116, article 1, section 58, subdivision 6, as amended by
 183.2 Laws 2014, chapter 312, article 15, section 27, is amended to read:

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

183.5 \$ 15,867,000 2014

183.6 ~~16,132,000~~

183.7 \$ 15,569,000 2015

183.8 The 2014 appropriation includes \$1,898,000 for 2013 and \$13,969,000 for 2014.

183.9 The 2015 appropriation includes ~~\$1,552,000~~ \$1,394,000 for 2014 and ~~\$14,580,000~~
 183.10 \$14,175,000 for 2015.

183.11 Sec. 6. Laws 2013, chapter 116, article 1, section 58, subdivision 7, as amended by
 183.12 Laws 2014, chapter 312, article 15, section 28, is amended to read:

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

183.15 \$ 18,500,000 2014

183.16 ~~17,710,000~~

183.17 \$ 18,118,000 2015

183.18 The 2014 appropriation includes \$2,602,000 for 2013 and \$15,898,000 for 2014.

183.19 The 2015 appropriation includes \$1,766,000 for 2014 and ~~\$15,944,000~~ \$16,352,000
 183.20 for 2015.

183.21 Sec. 7. Laws 2013, chapter 116, article 1, section 58, subdivision 11, as amended by
 183.22 Laws 2014, chapter 312, article 22, section 4, is amended to read:

183.23 Subd. 11. **Career and technical aid.** For career and technical aid under Minnesota
 183.24 Statutes, section 124D.4531, subdivision 1b:

183.25 \$ 3,959,000 2014

183.26 ~~5,172,000~~

183.27 \$ 5,617,000 2015

183.28 The 2014 appropriation includes \$0 for 2013 and \$3,959,000 for 2014.

183.29 The 2015 appropriation includes ~~\$439,000~~ \$445,000 for 2014 and ~~\$4,733,000~~
 183.30 \$5,172,000 for 2015.

183.31 B. EDUCATION EXCELLENCE

183.32 Sec. 8. Laws 2013, chapter 116, article 3, section 37, subdivision 3, as amended by
 183.33 Laws 2014, chapter 312, article 22, section 5, is amended to read:

184.1 Subd. 3. **Achievement and integration aid.** For achievement and integration aid
 184.2 under Minnesota Statutes, section 124D.862:

184.3 \$ 55,609,000 2014

184.4 ~~62,692,000~~

184.5 \$ 63,831,000 2015

184.6 The 2014 appropriation includes \$0 for 2013 and \$55,609,000 for 2014.

184.7 The 2015 appropriation includes ~~\$6,178,000~~ \$6,386,000 for 2014 and ~~\$56,514,000~~
 184.8 \$57,445,000 for 2015.

184.9 Sec. 9. Laws 2013, chapter 116, article 3, section 37, subdivision 4, as amended by
 184.10 Laws 2014, chapter 312, article 22, section 6, is amended to read:

184.11 Subd. 4. **Literacy incentive aid.** For literacy incentive aid under Minnesota
 184.12 Statutes, section 124D.98:

184.13 \$ 50,998,000 2014

184.14 ~~47,458,000~~

184.15 \$ 44,839,000 2015

184.16 The 2014 appropriation includes \$6,607,000 for 2013 and \$44,391,000 for 2014.

184.17 The 2015 appropriation includes \$4,932,000 for 2014 and ~~\$42,526,000~~ \$39,907,000
 184.18 for 2015.

184.19 Sec. 10. Laws 2013, chapter 116, article 3, section 37, subdivision 5, as amended by
 184.20 Laws 2014, chapter 312, article 22, section 7, is amended to read:

184.21 Subd. 5. **Interdistrict desegregation or integration transportation grants.** For
 184.22 interdistrict desegregation or integration transportation grants under Minnesota Statutes,
 184.23 section 124D.87:

184.24 \$ 13,521,000 2014

184.25 ~~14,248,000~~

184.26 \$ 14,261,000 2015

184.27 Sec. 11. Laws 2013, chapter 116, article 3, section 37, subdivision 20, as amended by
 184.28 Laws 2013, chapter 144, section 10, and Laws 2014, chapter 312, article 22, section 9,
 184.29 is amended to read:

184.30 Subd. 20. **Alternative compensation.** For alternative teacher compensation aid
 184.31 under Minnesota Statutes, section 122A.415, subdivision 4:

184.32 ~~71,599,000~~

184.33 \$ 69,899,000 2015

184.34 The 2015 appropriation includes \$0 for 2014 and ~~\$71,599,000~~ \$69,899,000 for 2015.

185.1

C. CHARTER SCHOOLS

185.2 Sec. 12. Laws 2013, chapter 116, article 4, section 9, subdivision 2, as amended by
 185.3 Laws 2014, chapter 312, article 22, section 10, is amended to read:

185.4 Subd. 2. **Charter school building lease aid.** For building lease aid under Minnesota
 185.5 Statutes, section 124D.11, subdivision 4:

185.6 \$ 54,625,000 2014
 185.7 ~~58,294,000~~
 185.8 \$ 59,565,000 2015

185.9 The 2014 appropriation includes \$6,681,000 for 2013 and \$47,944,000 for 2014.

185.10 The 2015 appropriation includes ~~\$5,327,000~~ \$5,270,000 for 2014 and ~~\$52,967,000~~
 185.11 \$54,295,000 for 2015.

185.12

D. SPECIAL PROGRAMS

185.13 Sec. 13. Laws 2013, chapter 116, article 5, section 31, subdivision 2, as amended by
 185.14 Laws 2013, chapter 144, section 14, and Laws 2014, chapter 312, article 22, section
 185.15 11, is amended to read:

185.16 Subd. 2. **Special education; regular.** For special education aid under Minnesota
 185.17 Statutes, section 125A.75:

185.18 \$ 1,038,465,000 2014
 185.19 ~~1,111,641,000~~
 185.20 \$ 1,109,144,000 2015

185.21 The 2014 appropriation includes \$118,183,000 for 2013 and \$920,282,000 for 2014.

185.22 The 2015 appropriation includes ~~\$129,549,000~~ \$129,317,000 for 2014 and
 185.23 ~~\$982,092,000~~ \$979,827,000 for 2015.

185.24 Sec. 14. Laws 2013, chapter 116, article 5, section 31, subdivision 3, as amended by
 185.25 Laws 2014, chapter 312, article 22, section 12, is amended to read:

185.26 Subd. 3. **Aid for children with disabilities.** For aid under Minnesota Statutes,
 185.27 section 125A.75, subdivision 3, for children with disabilities placed in residential facilities
 185.28 within the district boundaries for whom no district of residence can be determined:

185.29 \$ 1,548,000 2014
 185.30 ~~1,674,000~~
 185.31 \$ 1,367,000 2015

185.32 If the appropriation for either year is insufficient, the appropriation for the other
 185.33 year is available.

186.1 Sec. 15. Laws 2013, chapter 116, article 5, section 31, subdivision 4, as amended by
 186.2 Laws 2014, chapter 312, article 22, section 13, is amended to read:

186.3 Subd. 4. **Travel for home-based services.** For aid for teacher travel for home-based
 186.4 services under Minnesota Statutes, section 125A.75, subdivision 1:

186.5 \$ 351,000 2014

186.6 ~~346,000~~

186.7 \$ 351,000 2015

186.8 The 2014 appropriation includes \$45,000 for 2013 and \$306,000 for 2014.

186.9 The 2015 appropriation includes \$33,000 for 2014 and ~~\$313,000~~ \$318,000 for 2015.

186.10 E. FACILITIES AND TECHNOLOGY

186.11 Sec. 16. Laws 2013, chapter 116, article 6, section 12, subdivision 2, as amended by
 186.12 Laws 2014, chapter 312, article 22, section 15, is amended to read:

186.13 Subd. 2. **Health and safety revenue.** For health and safety aid according to
 186.14 Minnesota Statutes, section 123B.57, subdivision 5:

186.15 \$ 471,000 2014

186.16 ~~651,000~~

186.17 \$ 649,000 2015

186.18 The 2014 appropriation includes \$24,000 for 2013 and \$447,000 for 2014.

186.19 The 2015 appropriation includes \$49,000 for 2014 and ~~\$602,000~~ \$600,000 for 2015.

186.20 Sec. 17. Laws 2013, chapter 116, article 6, section 12, subdivision 6, as amended by
 186.21 Laws 2014, chapter 312, article 22, section 18, is amended to read:

186.22 Subd. 6. **Deferred maintenance aid.** For deferred maintenance aid, according to
 186.23 Minnesota Statutes, section 123B.591, subdivision 4:

186.24 \$ 3,877,000 2014

186.25 ~~4,024,000~~

186.26 \$ 4,067,000 2015

186.27 The 2014 appropriation includes \$475,000 for 2013 and \$3,402,000 for 2014.

186.28 The 2015 appropriation includes \$378,000 for 2014 and ~~\$3,646,000~~ \$3,689,000

186.29 for 2015.

186.30 F. NUTRITION AND LIBRARIES

186.31 Sec. 18. Laws 2013, chapter 116, article 7, section 21, subdivision 2, as amended by
 186.32 Laws 2014, chapter 312, article 19, section 5, is amended to read:

187.1 Subd. 2. **School lunch.** For school lunch aid according to Minnesota Statutes,
 187.2 section 124D.111, and Code of Federal Regulations, title 7, section 210.17:

187.3 \$ 12,417,000 2014
 187.4 ~~16,185,000~~
 187.5 \$ 15,506,000 2015

187.6 Sec. 19. Laws 2013, chapter 116, article 7, section 21, subdivision 3, as amended by
 187.7 Laws 2014, chapter 312, article 19, section 6, is amended to read:

187.8 Subd. 3. **School breakfast.** For traditional school breakfast aid under Minnesota
 187.9 Statutes, section 124D.1158:

187.10 \$ 5,308,000 2014
 187.11 ~~6,176,000~~
 187.12 \$ 9,168,000 2015

187.13 Sec. 20. Laws 2013, chapter 116, article 7, section 21, subdivision 4, as amended by
 187.14 Laws 2014, chapter 312, article 22, section 19, is amended to read:

187.15 Subd. 4. **Kindergarten milk.** For kindergarten milk aid under Minnesota Statutes,
 187.16 section 124D.118:

187.17 \$ 992,000 2014
 187.18 ~~1,002,000~~
 187.19 \$ 942,000 2015

187.20 **G. EARLY CHILDHOOD EDUCATION, SELF-SUFFICIENCY,**
 187.21 **AND LIFELONG LEARNING**

187.22 Sec. 21. Laws 2013, chapter 116, article 8, section 5, subdivision 3, as amended by
 187.23 Laws 2014, chapter 312, article 20, section 17, is amended to read:

187.24 Subd. 3. **Early childhood family education aid.** For early childhood family
 187.25 education aid under Minnesota Statutes, section 124D.135:

187.26 \$ 22,797,000 2014
 187.27 ~~26,651,000~~
 187.28 \$ 26,623,000 2015

187.29 The 2014 appropriation includes \$3,008,000 for 2013 and \$19,789,000 for 2014.

187.30 The 2015 appropriation includes \$2,198,000 for 2014 and ~~\$24,453,000~~ \$24,425,000
 187.31 for 2015.

187.32 Sec. 22. Laws 2013, chapter 116, article 8, section 5, subdivision 4, as amended by
 187.33 Laws 2014, chapter 312, article 22, section 23, is amended to read:

188.1 Subd. 4. **Health and developmental screening aid.** For health and developmental
 188.2 screening aid under Minnesota Statutes, sections 121A.17 and 121A.19:

188.3 \$ 3,524,000 2014

188.4 ~~3,330,000~~

188.5 \$ 3,390,000 2015

188.6 The 2014 appropriation includes \$471,000 for 2013 and \$3,053,000 for 2014.

188.7 The 2015 appropriation includes \$339,000 for 2014 and ~~\$2,991,000~~ \$3,051,000

188.8 for 2015.

188.9 Sec. 23. Laws 2013, chapter 116, article 8, section 5, subdivision 14, as amended by
 188.10 Laws 2014, chapter 312, article 20, section 20, is amended to read:

188.11 Subd. 14. **Adult basic education aid.** For adult basic education aid under
 188.12 Minnesota Statutes, section 124D.531:

188.13 \$ 48,776,000 2014

188.14 ~~48,415,000~~

188.15 \$ 47,750,000 2015

188.16 The 2014 appropriation includes \$6,278,000 for 2013 and \$42,498,000 for 2014.

188.17 The 2015 appropriation includes ~~\$4,722,000~~ \$4,712,000 for 2014 and ~~\$43,693,000~~

188.18 \$43,038,000 for 2015.

APPENDIX
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120B.128 EDUCATIONAL PLANNING AND ASSESSMENT SYSTEM (EPAS) PROGRAM.

(a) School districts and charter schools may elect to participate in the Educational Planning and Assessment System (EPAS) program offered by ACT, Inc. to provide a longitudinal, systematic approach to student educational and career planning, assessment, instructional support, and evaluation. The EPAS achievement tests include English, reading, mathematics, science, and components on planning for high school and postsecondary education, interest inventory, needs assessments, and student education plans. These tests are linked to the ACT assessment for college admission and allow students, parents, teachers, and schools to determine the student's college readiness before grades 11 and 12.

(b) The commissioner of education shall provide ACT Explore tests for students in grade 8 and the ACT Plan test for students in grade 10 to assess individual student academic strengths and weaknesses, academic achievement and progress, higher order thinking skills, and college readiness.

(c) Students enrolled in grade 8 through the 2011-2012 school year who have not yet demonstrated proficiency on the Minnesota Comprehensive Assessments, the graduation-required assessments for diploma, or the basic skills testing requirements prior to high school graduation may satisfy state high school graduation requirements for assessments in reading, mathematics, and writing by taking the graduation-required assessment for diploma in reading, mathematics, or writing under Minnesota Statutes 2012, section 120B.30, subdivision 1, paragraph (c), clauses (1) and (2), the WorkKeys job skills assessment, the Compass college placement test, a nationally recognized armed services vocation aptitude test, or the ACT assessment for college admission.

(d) The state shall pay the test costs for public school students to participate in the assessments under this section. The commissioner shall establish an application procedure and a process for state payment of costs.

122A.40 EMPLOYMENT; CONTRACTS; TERMINATION.

Subd. 11. **Unrequested leave of absence.** The board may place on unrequested leave of absence, without pay or fringe benefits, as many teachers as may be necessary because of discontinuance of position, lack of pupils, financial limitations, or merger of classes caused by consolidation of districts. The unrequested leave is effective at the close of the school year. In placing teachers on unrequested leave, the board is governed by the following provisions:

(a) The board may place probationary teachers on unrequested leave first in the inverse order of their employment. A teacher who has acquired continuing contract rights must not be placed on unrequested leave of absence while probationary teachers are retained in positions for which the teacher who has acquired continuing contract rights is licensed;

(b) Teachers who have acquired continuing contract rights shall be placed on unrequested leave of absence in fields in which they are licensed in the inverse order in which they were employed by the school district. In the case of equal seniority, the order in which teachers who have acquired continuing contract rights shall be placed on unrequested leave of absence in fields in which they are licensed is negotiable;

(c) Notwithstanding the provisions of paragraph (b), a teacher is not entitled to exercise any seniority when that exercise results in that teacher being retained by the district in a field for which the teacher holds only a provisional license, as defined by the board of teaching, unless that exercise of seniority results in the placement on unrequested leave of absence of another teacher who also holds a provisional license in the same field. The provisions of this paragraph do not apply to vocational education licenses;

(d) Notwithstanding paragraphs (a), (b), and (c), if the placing of a probationary teacher on unrequested leave before a teacher who has acquired continuing rights, the placing of a teacher who has acquired continuing contract rights on unrequested leave before another teacher who has acquired continuing contract rights but who has greater seniority, or the restriction imposed by the provisions of paragraph (c) would place the district in violation of its affirmative action program, the district may retain the probationary teacher, the teacher with less seniority, or the provisionally licensed teacher;

(e) Teachers placed on unrequested leave of absence must be reinstated to the positions from which they have been given leaves of absence or, if not available, to other available positions in the school district in fields in which they are licensed. Reinstatement must be in the inverse order of placement on leave of absence. A teacher must not be reinstated to a position in a field in which the teacher holds only a provisional license, other than a vocational education

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license, while another teacher who holds a nonprovisional license in the same field remains on unrequested leave. The order of reinstatement of teachers who have equal seniority and who are placed on unrequested leave in the same school year is negotiable;

(f) Appointment of a new teacher must not be made while there is available, on unrequested leave, a teacher who is properly licensed to fill such vacancy, unless the teacher fails to advise the school board within 30 days of the date of notification that a position is available to that teacher who may return to employment and assume the duties of the position to which appointed on a future date determined by the board;

(g) A teacher placed on unrequested leave of absence may engage in teaching or any other occupation during the period of this leave;

(h) The unrequested leave of absence must not impair the continuing contract rights of a teacher or result in a loss of credit for previous years of service;

(i) The unrequested leave of absence of a teacher who is placed on unrequested leave of absence and who is not reinstated shall continue for a period of five years, after which the right to reinstatement shall terminate. The teacher's right to reinstatement shall also terminate if the teacher fails to file with the board by April 1 of any year a written statement requesting reinstatement;

(j) The same provisions applicable to terminations of probationary or continuing contracts in subdivisions 5 and 7 must apply to placement on unrequested leave of absence;

(k) Nothing in this subdivision shall be construed to impair the rights of teachers placed on unrequested leave of absence to receive unemployment benefits if otherwise eligible.

125A.63 RESOURCE CENTERS; DEAF OR HARD OF HEARING AND BLIND OR VISUALLY IMPAIRED.

Subdivision 1. **Also for multiply disabled.** Resource centers for the deaf or hard of hearing, and the blind or visually impaired, each also serving multiply disabled pupils, are transferred to the Department of Education.

126C.12 LEARNING AND DEVELOPMENT REVENUE AMOUNT AND USE.

Subd. 6. **Annual report.** By December 1 of each year, districts receiving revenue under subdivision 1 shall make available to the public a report on the amount of revenue the district has received and the use of the revenue. This report shall be in the form and manner determined by the commissioner and shall include the district average class sizes in kindergarten through grade 6 as of October 1 of the current school year and the class sizes for each site serving kindergarten through grade 6 students in the district. A copy of the report shall be filed with the commissioner by December 15.

126C.13 GENERAL EDUCATION AID.

Subd. 3a. **Student achievement rate.** The commissioner must establish the student achievement rate by July 1 of each year for levies payable in the following year. The student achievement rate must be a rate, rounded up to the nearest hundredth of a percent, that, when applied to the adjusted net tax capacity for all districts, raises the amount specified in this subdivision. The student achievement rate must be the rate that raises \$20,000,000 for fiscal year 2015 and later years. The student achievement rate may not be changed due to changes or corrections made to a district's adjusted net tax capacity after the rate has been established.

Subd. 3b. **Student achievement levy.** To obtain general education revenue, a district may levy an amount not to exceed the student achievement rate times the adjusted net tax capacity of the district for the preceding year. If the amount of the student achievement levy would exceed the general education revenue, the student achievement levy must be determined according to subdivision 3c.

Subd. 3c. **Student achievement levy; districts off the formula.** (a) If the amount of the student achievement levy for a district exceeds the district's general education revenue, excluding operating capital revenue, equity revenue, and transition revenue, the amount of the student achievement levy must be limited to the district's general education revenue, excluding operating capital revenue, equity revenue, and transition revenue.

(b) A levy made according to this subdivision shall also be construed to be the levy made according to subdivision 3b.

126C.41 BENEFITS LEVIES.

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Subdivision 1. **Health insurance.** (a) A district may levy the amount necessary to make employer contributions for insurance for retired employees under this subdivision.

(b) The school board of a joint vocational technical district formed under the provisions formerly codified as sections 136C.60 to 136C.69 and the school board of a school district may provide employer-paid hospital, medical, and dental benefits to a person who:

(1) is eligible for employer-paid insurance under collective bargaining agreements or personnel plans in effect on June 30, 1992;

(2) has at least 25 years of service credit in the public pension plan of which the person is a member on the day before retirement or, in the case of a teacher, has a total of at least 25 years of service credit in the teachers retirement association, a first-class city teacher retirement fund, or any combination of these;

(3) upon retirement is immediately eligible for a retirement annuity;

(4) is at least 55 and not yet 65 years of age; and

(5) retires on or after May 15, 1992, and before July 21, 1992.

A school board paying insurance under this subdivision may not exclude any eligible employees.

(c) An employee who is eligible both for the health insurance benefit under this subdivision and for an early retirement incentive under a collective bargaining agreement or personnel plan established by the employer must select either the early retirement incentive provided under the collective bargaining agreement personnel plan or the incentive provided under this subdivision, but may not receive both. For purposes of this subdivision, a person retires when the person terminates active employment and applies for retirement benefits. The retired employee is eligible for single and dependent coverages and employer payments to which the person was entitled immediately before retirement, subject to any changes in coverage and employer and employee payments through collective bargaining or personnel plans, for employees in positions equivalent to the position from which the employee retired. The retired employee is not eligible for employer-paid life insurance. Eligibility ceases when the retired employee attains the age of 65, or when the employee chooses not to receive the retirement benefits for which the employee has applied, or when the employee is eligible for employer-paid health insurance from a new employer. Coverages must be coordinated with relevant health insurance benefits provided through the federally sponsored Medicare program.

(d) Unilateral implementation of this section by a public employer is not an unfair labor practice for purposes of chapter 179A. The authority provided in this subdivision for an employer to pay health insurance costs for certain retired employees is not subject to the limits in section 179A.20, subdivision 2a.

(e) If a school district levies according to this subdivision, it may not also levy according to section 123A.73, subdivision 12, for eligible employees.

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.