

1.1 A bill for an act

1.2 relating to education; providing for policy and technical modifications in early
1.3 childhood and family, kindergarten through grade 12, and adult education
1.4 including general education, education excellence, special programs, nutrition,
1.5 libraries, English learners, and interstate compact on educational opportunity
1.6 for military children; unsession changes; amending Minnesota Statutes 2012,
1.7 sections 13.32, subdivision 6; 119A.50, subdivision 3; 120A.22, subdivision 2;
1.8 120A.32; 120B.022; 120B.12; 120B.31, by adding a subdivision; 121A.36;
1.9 121A.582, subdivision 1; 122A.06, subdivision 4; 122A.09, subdivision 7;
1.10 122A.14, subdivisions 2, 3; 122A.18, subdivisions 2a, 4; 122A.19; 122A.40,
1.11 subdivisions 5, 13; 122A.41, subdivisions 2, 6; 122A.413, subdivision 2;
1.12 122A.414, subdivision 2; 122A.60, subdivisions 1a, 2, 3; 122A.68, subdivision
1.13 3; 122A.74; 123A.06, subdivisions 2, 4; 123B.04, subdivision 4; 123B.147,
1.14 subdivision 3; 123B.88, subdivision 1; 124D.03, subdivisions 3, 4, 5, 6, by
1.15 adding a subdivision; 124D.08, by adding a subdivision; 124D.09, subdivisions
1.16 6, 7; 124D.111, subdivision 3; 124D.13, subdivision 2; 124D.141, subdivisions
1.17 2, 3; 124D.15, subdivision 3; 124D.49, subdivision 3; 124D.52, as amended;
1.18 124D.522; 124D.59, subdivision 2, by adding a subdivision; 124D.895;
1.19 124D.8955; 125A.023, subdivisions 3, 4; 125A.027, subdivisions 1, 4; 125A.03;
1.20 125A.08; 125A.22; 127A.065; 127A.41, subdivision 7; 127A.70, subdivision
1.21 1; 134.355, subdivision 8; 260D.06, subdivision 2; Minnesota Statutes 2013
1.22 Supplement, sections 120B.021, subdivision 4; 120B.11; 120B.115; 120B.125;
1.23 120B.35, subdivision 3; 120B.36, subdivision 1; 122A.09, subdivision 4;
1.24 122A.18, subdivision 2; 122A.23, subdivision 2; 122A.40, subdivision 8;
1.25 122A.41, subdivision 5; 124D.10, subdivision 3; 124D.165, subdivisions 2,
1.26 4, 5; 124D.4531, subdivisions 1, 3, 3a; 124D.861, subdivision 3; 125A.0942,
1.27 subdivision 2; 125A.30; 127A.70, subdivision 2; 626.556, subdivision 2;
1.28 proposing coding for new law in Minnesota Statutes, chapters 124D; 127A;
1.29 repealing Minnesota Statutes 2012, sections 119A.04, subdivision 3; 120A.30;
1.30 120B.19; 120B.24; 120B.35, subdivision 4; 121A.17, subdivision 9; 122A.19,
1.31 subdivision 3; 122A.52; 122A.53; 122A.61, subdivision 2; 122A.71; 124D.24;
1.32 124D.25; 124D.26; 124D.27; 124D.28; 124D.29; 124D.30; 124D.31; 125A.027,
1.33 subdivision 3.

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

ARTICLE 1

GENERAL EDUCATION

Section 1. Minnesota Statutes 2012, section 123B.88, subdivision 1, is amended to read:

Subdivision 1. **Providing transportation.** The board may provide for the transportation of pupils to and from school and for any other purpose. The board may also provide for the transportation of pupils to schools in other districts for grades and departments not maintained in the district, including high school, at the expense of the district, when funds are available therefor and if agreeable to the district to which it is proposed to transport the pupils, for the whole or a part of the school year, as it may deem advisable, and subject to its rules. In any district, the board must arrange for the attendance of all pupils living two miles or more from the school, except pupils whose transportation privileges have been voluntarily surrendered under subdivision 2, or whose privileges have been revoked under section 123B.91, subdivision 1, clause (6), or 123B.90, subdivision 2. The district may provide for the transportation of or the boarding and rooming of the pupils who may be more economically and conveniently provided for by that means. Arrangements for attendance may include a requirement that parents or guardians request transportation before it is provided. The board must provide transportation to and from the home of a child with a disability not yet enrolled in kindergarten when special instruction and services under sections 125A.03 to 125A.24, 125A.26 to 125A.48, and 125A.65 are provided in a ~~location other than in the child's home~~ district facility, a placement contracted for by the district, or a Head Start program if the Head Start program does not otherwise provide transportation. When transportation is provided, scheduling of routes, establishment of the location of bus stops, manner and method of transportation, control and discipline of school children, the determination of fees, and any other matter relating thereto must be within the sole discretion, control, and management of the board. The district may provide for the transportation of pupils or expend a reasonable amount for room and board of pupils whose attendance at school can more economically and conveniently be provided for by that means or who attend school in a building rented or leased by a district within the confines of an adjacent district.

Sec. 2. Minnesota Statutes 2012, section 124D.08, is amended by adding a subdivision to read:

Subd. 2b. Continued enrollment for students placed in foster care.
Notwithstanding subdivision 2, a pupil who has been enrolled in a district who is placed in foster care in another district may continue to enroll in the prior district without the

3.1 approval of the board of the prior district. The approval of the board where the pupil's
3.2 foster home is located is not required.

3.3 ARTICLE 2

3.4 EDUCATION EXCELLENCE

3.5 Section 1. Minnesota Statutes 2012, section 13.32, subdivision 6, is amended to read:

3.6 Subd. 6. **Admissions forms; remedial instruction.** (a) Minnesota postsecondary
3.7 education institutions, for purposes of reporting and research, may collect on the
3.8 1986-1987 admissions form, and disseminate to any public educational agency or
3.9 institution the following data on individuals: student sex, ethnic background, age, and
3.10 disabilities. The data shall not be required of any individual and shall not be used for
3.11 purposes of determining the person's admission to an institution.

3.12 (b) A school district that receives information under subdivision 3, paragraph
3.13 (h) from a postsecondary institution about an identifiable student shall maintain the
3.14 data as educational data and use that data to conduct studies to improve instruction.
3.15 Public postsecondary systems ~~annually shall provide summary data to the Department~~
3.16 ~~of Education indicating~~ as part of their participation in the Statewide Longitudinal
3.17 Education Data System shall provide data on the extent and content of the remedial
3.18 instruction received ~~in each system during the prior academic year by individual students,~~
3.19 and the results of assessment testing and the academic performance of, students who
3.20 graduated from a Minnesota school district within two years before receiving the remedial
3.21 instruction. ~~The department~~ Office of Higher Education, in collaboration with the
3.22 Department of Education, shall evaluate the data and annually report its findings to the
3.23 education committees of the legislature.

3.24 (c) This section supersedes any inconsistent provision of law.

3.25 Sec. 2. Minnesota Statutes 2013 Supplement, section 120B.021, subdivision 4, is
3.26 amended to read:

3.27 Subd. 4. **Revisions and reviews required.** (a) The commissioner of education must
3.28 revise and appropriately embed technology and information literacy standards consistent
3.29 with recommendations from school media specialists into the state's academic standards
3.30 and graduation requirements and implement a ten-year cycle to review and revise state
3.31 academic standards and related benchmarks, consistent with this subdivision. During each
3.32 ten-year review and revision cycle, the commissioner also must examine the alignment
3.33 of each required academic standard and related benchmark with the knowledge and
3.34 skills students need for career and college readiness and advanced work in the particular

4.1 subject area. The commissioner must include the contributions of Minnesota American
4.2 Indian tribes and communities as related to the academic standards during the review and
4.3 revision of the required academic standards.

4.4 (b) The commissioner must ensure that the statewide mathematics assessments
4.5 administered to students in grades 3 through 8 and 11 are aligned with the state academic
4.6 standards in mathematics, consistent with section 120B.30, subdivision 1, paragraph
4.7 (b). The commissioner must implement a review of the academic standards and related
4.8 benchmarks in mathematics beginning in the 2015-2016 school year and every ten years
4.9 thereafter.

4.10 (c) The commissioner must implement a review of the academic standards and related
4.11 benchmarks in arts beginning in the 2016-2017 school year and every ten years thereafter.

4.12 (d) The commissioner must implement a review of the academic standards and
4.13 related benchmarks in science beginning in the 2017-2018 school year and every ten
4.14 years thereafter.

4.15 (e) The commissioner must implement a review of the academic standards and
4.16 related benchmarks in language arts beginning in the 2018-2019 school year and every
4.17 ten years thereafter.

4.18 (f) The commissioner must implement a review of the academic standards and
4.19 related benchmarks in social studies beginning in the 2019-2020 school year and every
4.20 ten years thereafter.

4.21 (g) School districts and charter schools must revise and align local academic
4.22 standards and high school graduation requirements in health, world languages, and career
4.23 and technical education to require students to complete the revised standards beginning
4.24 in a school year determined by the school district or charter school. School districts and
4.25 charter schools must formally establish a periodic review cycle for the academic standards
4.26 and related benchmarks in health, world languages, and career and technical education.

4.27 Sec. 3. Minnesota Statutes 2012, section 120B.022, is amended to read:

4.28 **120B.022 ELECTIVE STANDARDS.**

4.29 Subdivision 1. **Elective standards.** ~~(a)~~ A district must establish its own standards in
4.30 the following subject areas:

4.31 (1) career and technical education; and

4.32 (2) world languages.

4.33 A school district must offer courses in all elective subject areas.

4.34 Subd. 1a. **Foreign language and culture; proficiency certificates.** ~~(b)~~ (a) World
4.35 languages teachers and other school staff should develop and implement world languages

5.1 programs that acknowledge and reinforce the language proficiency and cultural awareness
5.2 that non-English language speakers already possess, and encourage students' proficiency
5.3 in multiple world languages. Programs under this ~~paragraph~~ section must encompass
5.4 indigenous American Indian languages and cultures, among other world languages and
5.5 cultures. The department shall consult with postsecondary institutions in developing
5.6 related professional development opportunities for purposes of this section.

5.7 (e) (b) Any Minnesota public, charter, or nonpublic school may award Minnesota
5.8 World Language Proficiency Certificates or Minnesota World Language Proficiency High
5.9 Achievement Certificates, consistent with this subdivision.

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

5.17 (d) The Minnesota World Language Proficiency High Achievement Certificate
5.18 recognizes students who demonstrate listening, speaking, reading, and writing language
5.19 skills at the American Council on the Teaching of Foreign Languages' Pre-Advanced level
5.20 for K-12 learners on a valid and reliable assessment tool. For languages listed as Category
5.21 3 by the United States Foreign Service Institute or Category 4 by the United States
5.22 Defense Language Institute, the standard is Pre-Advanced for listening and speaking and
5.23 Intermediate-Mid for reading and writing.

5.24 Subd. 1b. State bilingual and multilingual seals. (a) Consistent with efforts to
5.25 strive for the world's best workforce under sections 120B.11 and 124D.10, subdivision 8,
5.26 paragraph (u), and close the academic achievement and opportunity gap under sections
5.27 124D.861 and 124D.862, voluntary state bilingual and multilingual seals are established
5.28 to recognize high school graduates who demonstrate level 5 functional native proficiency
5.29 in speaking and reading on the Foreign Services Institute language proficiency tests or on
5.30 equivalent valid and reliable assessments in one or more languages in addition to English.
5.31 American Sign Language is a language other than English for purposes of this subdivision
5.32 and a world language for purposes of subdivision 1a.

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

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

5.35 and

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

6.3 (c) Consistent with this subdivision, a high school graduate who demonstrates
6.4 functional native proficiency in one language in addition to English is eligible to receive
6.5 the state bilingual seal. A high school graduate who demonstrates functional native
6.6 proficiency in more than one language in addition to English is eligible to receive the
6.7 state multilingual seal.

6.8 (d) School districts and charter schools, in consultation with regional centers
6.9 of excellence under section 120B.115, must give students periodic opportunities to
6.10 demonstrate their level of proficiency in speaking and reading in a language in addition
6.11 to English. Where valid and reliable assessments are unavailable, a school district or
6.12 charter school may rely on a licensed foreign language immersion teacher or a nonlicensed
6.13 community expert under section 122A.25 to assess a student's level of foreign, heritage, or
6.14 indigenous language proficiency under this section. School districts and charter schools
6.15 must maintain appropriate records to identify high school graduates eligible to receive the
6.16 state bilingual or multilingual seal. The school district or charter school must affix the
6.17 appropriate seal to the transcript of each high school graduate who meets the requirements
6.18 of this subdivision and may affix the seal to the student's diploma. A school district or
6.19 charter school must not charge the high school graduate a fee for this seal.

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

6.23 (f) A school district or charter school may award community service credit to a
6.24 student who demonstrates level 5 functional native proficiency in speaking and reading
6.25 in a language other than English and who participates in community service activities
6.26 that are integrated into the curriculum, involve the participation of teachers, and support
6.27 biliteracy in the school or local community.

6.28 (g) The commissioner must develop a Web page for the electronic delivery of these
6.29 seals. The commissioner must list on the Web page those assessments that are equivalent
6.30 to the Foreign Services Institute language proficiency tests.

6.31 (h) The colleges and universities of the Minnesota State Colleges and Universities
6.32 system must award foreign language credits to a student who receives a state bilingual seal
6.33 or a state multilingual seal under this subdivision and may award foreign language credits to
6.34 a student who receives a Minnesota World Language Proficiency Certificate or a Minnesota
6.35 World Language Proficiency High Achievement Certificate under subdivision 1a.

7.1 Subd. 2. **Local assessments.** A district must use a locally selected assessment to
7.2 determine if a student has achieved an elective standard.

7.3 **EFFECTIVE DATE.** This section is effective for the 2014-2015 school year and
7.4 later, except subdivision 1b, paragraph (h) is effective for students enrolling in a MnSCU
7.5 system college or university in the 2015-2016 school year or later.

7.6 Sec. 4. Minnesota Statutes 2013 Supplement, section 120B.11, subdivision 3, is
7.7 amended to read:

7.8 Subd. 3. **District advisory committee.** Each school board shall establish an
7.9 advisory committee to ensure active community participation in all phases of planning and
7.10 improving the instruction and curriculum affecting state and district academic standards,
7.11 consistent with subdivision 2. A district advisory committee, to the extent possible, shall
7.12 reflect the diversity of the district and its school sites, and shall include teachers, parents,
7.13 support staff, students, and other community residents. The district may establish site
7.14 teams as subcommittees of the district advisory committee under subdivision 4. The
7.15 district advisory committee shall recommend to the school board rigorous academic
7.16 standards, student achievement goals and measures consistent with subdivision 1a and
7.17 sections 120B.022, ~~subdivision 1, paragraphs (b) and (e)~~ subdivisions 1a and 1b, and
7.18 120B.35, district assessments, and program evaluations. School sites may expand upon
7.19 district evaluations of instruction, curriculum, assessments, or programs. Whenever
7.20 possible, parents and other community residents shall comprise at least two-thirds of
7.21 advisory committee members.

7.22 **EFFECTIVE DATE.** This section is effective for the 2014-2015 school year and
7.23 later.

7.24 Sec. 5. Minnesota Statutes 2013 Supplement, section 120B.115, is amended to read:

7.25 **120B.115 REGIONAL CENTERS OF EXCELLENCE.**

7.26 (a) Regional centers of excellence are established to assist and support school
7.27 boards, school districts, school sites, and charter schools in implementing research-based
7.28 interventions and practices to increase the students' achievement within a region.
7.29 The centers must develop partnerships with local and regional service cooperatives,
7.30 postsecondary institutions, integrated school districts, the department, children's mental
7.31 health providers, or other local or regional entities interested in providing a cohesive
7.32 and consistent regional delivery system that serves all schools equitably. Centers must
7.33 assist school districts, school sites, and charter schools in developing similar partnerships.

8.1 Center support may include assisting school districts, school sites, and charter schools
8.2 with common principles of effective practice, including:

8.3 (1) defining measurable education goals under ~~section~~ sections 120B.11, subdivision
8.4 2, and 120B.022, subdivisions 1a and 1b;

8.5 (2) implementing evidence-based practices;

8.6 (3) engaging in data-driven decision-making;

8.7 (4) providing multilayered levels of support;

8.8 (5) supporting culturally responsive teaching and learning aligning state and local
8.9 academic standards and career and college readiness benchmarks; and

8.10 (6) engaging parents, families, youth, and local community members in programs
8.11 and activities at the school district, school site, or charter school.

8.12 Centers must work with school site leadership teams to build capacity to implement
8.13 programs that close the achievement gap, increase students' progress and growth toward
8.14 career and college readiness, and increase student graduation rates.

8.15 (b) The department must assist the regional centers of excellence to meet staff,
8.16 facilities, and technical needs, provide the centers with programmatic support, and work
8.17 with the centers to establish a coherent statewide system of regional support, including
8.18 consulting, training, and technical support, to help school boards, school districts, school
8.19 sites, and charter schools effectively and efficiently implement the world's best workforce
8.20 goals under section 120B.11 and other state and federal education initiatives.

8.21 **EFFECTIVE DATE.** This section is effective for the 2014-2015 school year and
8.22 later.

8.23 Sec. 6. Minnesota Statutes 2012, section 120B.31, is amended by adding a subdivision
8.24 to read:

8.25 **Subd. 5. Parent information.** To ensure the effective involvement of parents and to
8.26 support a partnership between the school and parents, each district shall annually provide
8.27 parents a timely written summary, in an electronic or other format, of their student's
8.28 current and longitudinal performance and progress on the state's academic content
8.29 standards as measured by state assessments. Providing parents with a summary prepared
8.30 by the Department of Education fulfills the requirements of this subdivision.

8.31 Sec. 7. Minnesota Statutes 2013 Supplement, section 122A.09, subdivision 4, is
8.32 amended to read:

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

9.3 (b) The board must adopt rules requiring a person to pass a skills examination in
9.4 reading, writing, and mathematics as a requirement for initial teacher licensure, except
9.5 that the board may issue up to two additional temporary, one-year teaching licenses to an
9.6 otherwise qualified candidate who has not yet passed the skills exam. The requirement to
9.7 pass a reading, writing, and mathematics skills examination does not apply to nonnative
9.8 English speakers, as verified by qualified Minnesota school district personnel or Minnesota
9.9 higher education faculty, who, after meeting the content and pedagogy requirements
9.10 under this subdivision, apply for a teaching license to provide direct instruction in their
9.11 native language in a language immersion program. Such rules must require college and
9.12 universities offering a board-approved teacher preparation program to provide remedial
9.13 assistance to persons who did not achieve a qualifying score on the skills examination,
9.14 including those for whom English is a second language.

9.15 (c) The board must adopt rules to approve teacher preparation programs. The board,
9.16 upon the request of a postsecondary student preparing for teacher licensure or a licensed
9.17 graduate of a teacher preparation program, shall assist in resolving a dispute between the
9.18 person and a postsecondary institution providing a teacher preparation program when the
9.19 dispute involves an institution's recommendation for licensure affecting the person or the
9.20 person's credentials. At the board's discretion, assistance may include the application
9.21 of chapter 14.

9.22 (d) The board must provide the leadership and adopt rules for the redesign of teacher
9.23 education programs to implement a research based, results-oriented curriculum that
9.24 focuses on the skills teachers need in order to be effective. The board shall implement new
9.25 systems of teacher preparation program evaluation to assure program effectiveness based
9.26 on proficiency of graduates in demonstrating attainment of program outcomes. Teacher
9.27 preparation programs including alternative teacher preparation programs under section
9.28 122A.245, among other programs, must include a content-specific, board-approved,
9.29 performance-based assessment that measures teacher candidates in three areas: planning
9.30 for instruction and assessment; engaging students and supporting learning; and assessing
9.31 student learning.

9.32 (e) The board must adopt rules requiring candidates for initial licenses to pass an
9.33 examination of general pedagogical knowledge and examinations of licensure-specific
9.34 teaching skills. The rules shall be effective by September 1, 2001. The rules under this
9.35 paragraph also must require candidates for initial licenses to teach prekindergarten or
9.36 elementary students to pass, as part of the examination of licensure-specific teaching

10.1 skills, test items assessing the candidates' knowledge, skill, and ability in comprehensive,
10.2 scientifically based reading instruction under section 122A.06, subdivision 4, and their
10.3 knowledge and understanding of the foundations of reading development, the development
10.4 of reading comprehension, and reading assessment and instruction, and their ability to
10.5 integrate that knowledge and understanding.

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

10.9 (g) The board must grant licenses to interns and to candidates for initial licenses
10.10 based on appropriate professional competencies that are aligned with the board's licensing
10.11 system and students' diverse learning needs. The board must include these licenses in a
10.12 statewide differentiated licensing system that creates new leadership roles for successful
10.13 experienced teachers premised on a collaborative professional culture dedicated to meeting
10.14 students' diverse learning needs in the 21st century and formalizes mentoring and induction
10.15 for newly licensed teachers that is provided through a teacher support framework.

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

10.19 (i) The board must receive recommendations from local committees as established
10.20 by the board for the renewal of teaching licenses.

10.21 (j) The board must grant life licenses to those who qualify according to requirements
10.22 established by the board, and suspend or revoke licenses pursuant to sections 122A.20 and
10.23 214.10. The board must not establish any expiration date for application for life licenses.

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

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

10.33 (m) The board must adopt rules that require all licensed teachers who are renewing
10.34 their continuing license to include in their renewal requirements further reading
10.35 preparation, consistent with section 122A.06, subdivision 4. The rules do not take effect
10.36 until they are approved by law. Teachers who do not provide direct instruction including, at

11.1 least, counselors, school psychologists, school nurses, school social workers, audiovisual
11.2 directors and coordinators, and recreation personnel are exempt from this section.

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

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

11.12 Sec. 8. Minnesota Statutes 2013 Supplement, section 122A.18, subdivision 2, is
11.13 amended to read:

11.14 Subd. 2. **Teacher and support personnel qualifications.** (a) The Board of
11.15 Teaching must issue licenses under its jurisdiction to persons the board finds to be
11.16 qualified and competent for their respective positions.

11.17 (b) The board must require a person to pass an examination of skills in reading,
11.18 writing, and mathematics before being granted an initial teaching license to provide direct
11.19 instruction to pupils in prekindergarten, elementary, secondary, or special education
11.20 programs, except that the board may issue up to two additional temporary, one-year
11.21 teaching licenses to an otherwise qualified candidate who has not yet passed the skills
11.22 exam. The requirement to pass a reading, writing, and mathematics skills examination
11.23 does not apply to nonnative English speakers, as verified by qualified Minnesota school
11.24 district personnel or Minnesota higher education faculty, who, after meeting the content
11.25 and pedagogy requirements under this subdivision, apply for a teaching license to provide
11.26 direct instruction in their native language in a language immersion program. The board
11.27 must require colleges and universities offering a board approved teacher preparation
11.28 program to make available upon request remedial assistance that includes a formal
11.29 diagnostic component to persons enrolled in their institution who did not achieve a
11.30 qualifying score on the skills examination, including those for whom English is a second
11.31 language. The colleges and universities must make available assistance in the specific
11.32 academic areas of deficiency in which the person did not achieve a qualifying score.
11.33 School districts may make available upon request similar, appropriate, and timely remedial
11.34 assistance that includes a formal diagnostic component to those persons employed by the
11.35 district who completed their teacher education program, who did not achieve a qualifying

12.1 score on the skills examination, including those persons for whom English is a second
12.2 language and persons under section 122A.23, subdivision 2, paragraph (h), who completed
12.3 their teacher's education program outside the state of Minnesota, and who received a
12.4 temporary license to teach in Minnesota. The Board of Teaching shall report annually
12.5 to the education committees of the legislature on the total number of teacher candidates
12.6 during the most recent school year taking the skills examination, the number who achieve
12.7 a qualifying score on the examination, the number who do not achieve a qualifying score
12.8 on the examination, the distribution of all candidates' scores, the number of candidates
12.9 who have taken the examination at least once before, and the number of candidates who
12.10 have taken the examination at least once before and achieve a qualifying score.

12.11 (c) The Board of Teaching must grant continuing licenses only to those persons who
12.12 have met board criteria for granting a continuing license, which includes passing the
12.13 skills examination in reading, writing, and mathematics consistent with paragraph (b) and
12.14 section 122A.09, subdivision 4, paragraph (b).

12.15 (d) All colleges and universities approved by the board of teaching to prepare
12.16 persons for teacher licensure must include in their teacher preparation programs a common
12.17 core of teaching knowledge and skills to be acquired by all persons recommended
12.18 for teacher licensure. This common core shall meet the standards developed by the
12.19 interstate new teacher assessment and support consortium in its 1992 "model standards for
12.20 beginning teacher licensing and development." Amendments to standards adopted under
12.21 this paragraph are covered by chapter 14. The board of teaching shall report annually to
12.22 the education committees of the legislature on the performance of teacher candidates
12.23 on common core assessments of knowledge and skills under this paragraph during the
12.24 most recent school year.

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

12.26 Sec. 9. Minnesota Statutes 2013 Supplement, section 122A.23, subdivision 2, is
12.27 amended to read:

12.28 Subd. 2. **Applicants licensed in other states.** (a) Subject to the requirements of
12.29 sections 122A.18, subdivision 8, and 123B.03, the Board of Teaching must issue a teaching
12.30 license or a temporary teaching license under paragraphs (b) to (e) to an applicant who holds
12.31 at least a baccalaureate degree from a regionally accredited college or university and holds
12.32 or held a similar out-of-state teaching license that requires the applicant to successfully
12.33 complete a teacher preparation program approved by the issuing state, which includes
12.34 field-specific teaching methods and student teaching or essentially equivalent experience.

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

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

13.3 (2) holds or held an out-of-state teaching license to teach the same content field and
13.4 grade levels if the scope of the out-of-state license is no more than ~~one~~ two grade level
13.5 levels less than a similar Minnesota license.

13.6 (c) The Board of Teaching, consistent with board rules and paragraph (h), must
13.7 issue up to three one-year temporary teaching licenses to an applicant who holds or held
13.8 an out-of-state teaching license to teach the same content field and grade levels, where
13.9 the scope of the out-of-state license is no more than ~~one~~ two grade level levels less than
13.10 a similar Minnesota license, but has not successfully completed all exams and human
13.11 relations preparation components required by the Board of Teaching.

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

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

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

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

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

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

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

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

13.33 (g) The Board of Teaching must not issue a license under this subdivision if the
13.34 applicant has not attained the additional degrees, credentials, or licenses required in a
13.35 particular licensure field.

14.1 (h) The Board of Teaching must require an applicant for a teaching license or
14.2 a temporary teaching license under this subdivision to pass a skills examination in
14.3 reading, writing, and mathematics before the board issues the license. Consistent with
14.4 section 122A.18, subdivision 2, paragraph (b), and notwithstanding other provisions of
14.5 this subdivision, the board may issue up to two additional temporary, one-year teaching
14.6 licenses to an otherwise qualified applicant who has not yet passed the skills exam.

14.7 Sec. 10. Minnesota Statutes 2012, section 122A.40, subdivision 5, is amended to read:

14.8 Subd. 5. **Probationary period.** (a) The first three consecutive years of a teacher's
14.9 first teaching experience in Minnesota in a single district is deemed to be a probationary
14.10 period of employment, and, the probationary period in each district in which the teacher is
14.11 thereafter employed shall be one year. The school board must adopt a plan for written
14.12 evaluation of teachers during the probationary period that is consistent with subdivision 8.
14.13 Evaluation must occur at least three times periodically throughout each school year for a
14.14 teacher performing services during that school year; the first evaluation must occur within
14.15 the first 90 days of teaching service. Days devoted to parent-teacher conferences, teachers'
14.16 workshops, and other staff development opportunities and days on which a teacher is absent
14.17 from school must not be included in determining the number of school days on which a
14.18 teacher performs services. Except as otherwise provided in paragraph (b), during the
14.19 probationary period any annual contract with any teacher may or may not be renewed as the
14.20 school board shall see fit. However, the board must give any such teacher whose contract
14.21 it declines to renew for the following school year written notice to that effect before July 1.
14.22 If the teacher requests reasons for any nonrenewal of a teaching contract, the board must
14.23 give the teacher its reason in writing, including a statement that appropriate supervision
14.24 was furnished describing the nature and the extent of such supervision furnished the
14.25 teacher during the employment by the board, within ten days after receiving such request.
14.26 The school board may, after a hearing held upon due notice, discharge a teacher during the
14.27 probationary period for cause, effective immediately, under section 122A.44.

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

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

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

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

15.10 **EFFECTIVE DATE.** This section is effective retroactively from July 1, 2013.

15.11 Sec. 11. Minnesota Statutes 2012, section 122A.40, subdivision 13, is amended to read:

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

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

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

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

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

15.22 (5) willful neglect of duty; or

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

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

15.27 Prior to discharging a teacher under this paragraph, the board must notify the teacher
15.28 in writing and state its ground for the proposed discharge in reasonable detail. Within
15.29 ten days after receipt of this notification the teacher may make a written request for a
15.30 hearing before the board and it shall be granted before final action is taken. The board
15.31 may suspend a teacher with pay pending the conclusion of the hearing and determination
15.32 of the issues raised in the hearing after charges have been filed which constitute ground for
15.33 discharge. If a teacher has been charged with a felony and the underlying conduct that
15.34 is the subject of the felony charge is a ground for a proposed immediate discharge, the
15.35 suspension pending the conclusion of the hearing and determination of the issues may be

16.1 without pay. If a hearing under this paragraph is held, the board must reimburse the teacher
16.2 for any salary or compensation withheld if the final decision of the board or the arbitrator
16.3 does not result in a penalty to or suspension, termination, or discharge of the teacher.

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

16.7 (c) When a teacher is discharged under paragraph (b) or when the commissioner
16.8 makes a final determination of child maltreatment involving a teacher under section
16.9 626.556, subdivision 11, the school principal or other person having administrative
16.10 control of the school must include in the teacher's employment record the information
16.11 contained in the record of the disciplinary action or the final maltreatment determination,
16.12 consistent with the definition of public data under section 13.41, subdivision 5, and must
16.13 provide the Board of Teaching and the licensing division at the department with the
16.14 necessary and relevant information to enable the Board of Teaching and the department's
16.15 licensing division to fulfill their statutory and administrative duties related to issuing,
16.16 renewing, suspending, or revoking a teacher's license. Information received by the Board
16.17 of Teaching or the licensing division at the department under this paragraph is governed
16.18 by section 13.41 or other applicable law governing data of the receiving entity. In addition
16.19 to the background check required under section 123B.03, a school board or other school
16.20 hiring authority must contact the Board of Teaching and the department to determine
16.21 whether the teacher's license has been suspended or revoked, consistent with the discharge
16.22 and final maltreatment determinations identified in this paragraph.

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

16.24 Sec. 12. Minnesota Statutes 2012, section 122A.41, subdivision 2, is amended to read:

16.25 Subd. 2. **Probationary period; discharge or demotion.** (a) All teachers in
16.26 the public schools in cities of the first class during the first three years of consecutive
16.27 employment shall be deemed to be in a probationary period of employment during which
16.28 period any annual contract with any teacher may, or may not, be renewed as the school
16.29 board, after consulting with the peer review committee charged with evaluating the
16.30 probationary teachers under subdivision 3, shall see fit. The school site management team
16.31 or the school board if there is no school site management team, shall adopt a plan for a
16.32 written evaluation of teachers during the probationary period according to subdivisions 3
16.33 and 5. Evaluation by the peer review committee charged with evaluating probationary
16.34 teachers under subdivision 3 shall occur at least three times periodically throughout each
16.35 school year for a teacher performing services during that school year; the first evaluation

17.1 must occur within the first 90 days of teaching service. Days devoted to parent-teacher
17.2 conferences, teachers' workshops, and other staff development opportunities and days on
17.3 which a teacher is absent from school shall not be included in determining the number of
17.4 school days on which a teacher performs services. The school board may, during such
17.5 probationary period, discharge or demote a teacher for any of the causes as specified in
17.6 this code. A written statement of the cause of such discharge or demotion shall be given to
17.7 the teacher by the school board at least 30 days before such removal or demotion shall
17.8 become effective, and the teacher so notified shall have no right of appeal therefrom.

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

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

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

17.23 **EFFECTIVE DATE.** This section is effective retroactively from July 1, 2013.

17.24 Sec. 13. Minnesota Statutes 2012, section 122A.41, subdivision 6, is amended to read:

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

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

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

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

18.1 (4) affliction with active tuberculosis or other communicable disease must be
18.2 considered as cause for removal or suspension while the teacher is suffering from such
18.3 disability; or

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

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

18.7 (b) A probationary or continuing-contract teacher must be discharged immediately
18.8 upon receipt of notice under section 122A.20, subdivision 1, paragraph (b), that the
18.9 teacher's license has been revoked due to a conviction for child abuse or sexual abuse.

18.10 (c) When a teacher is discharged under paragraph (b) or when the commissioner
18.11 makes a final determination of child maltreatment involving a teacher under section
18.12 626.556, subdivision 11, the school principal or other person having administrative
18.13 control of the school must include in the teacher's employment record the information
18.14 contained in the record of the disciplinary action or the final maltreatment determination,
18.15 consistent with the definition of public data under section 13.41, subdivision 5, and must
18.16 provide the Board of Teaching and the licensing division at the department with the
18.17 necessary and relevant information to enable the Board of Teaching and the department's
18.18 licensing division to fulfill their statutory and administrative duties related to issuing,
18.19 renewing, suspending, or revoking a teacher's license. Information received by the Board
18.20 of Teaching or the licensing division at the department under this paragraph is governed
18.21 by section 13.41 or other applicable law governing data of the receiving entity. In addition
18.22 to the background check required under section 123B.03, a school board or other school
18.23 hiring authority must contact the Board of Teaching and the department to determine
18.24 whether the teacher's license has been suspended or revoked, consistent with the discharge
18.25 and final maltreatment determinations identified in this paragraph.

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

18.27 Sec. 14. Minnesota Statutes 2012, section 123A.06, subdivision 4, is amended to read:

18.28 Subd. 4. **Granting a diploma.** Upon successful completion of the area learning
18.29 center program, a pupil is entitled to receive a high school diploma. The pupil may elect
18.30 to receive a diploma from either the district of residence or the district in which the
18.31 area learning center is located or the intermediate district or educational cooperative
18.32 responsible for the area learning center program.

18.33 Sec. 15. Minnesota Statutes 2012, section 124D.03, subdivision 3, is amended to read:

19.1 Subd. 3. **Pupil application procedures.** In order that a pupil may attend a school or
19.2 program in a nonresident district, the pupil's parent or guardian must submit an application
19.3 to the nonresident district. ~~Before submitting an application, the pupil and the pupil's~~
19.4 ~~parent or guardian must explore with a school guidance counselor, or other appropriate~~
19.5 ~~staff member employed by the district the pupil is currently attending, the pupil's academic~~
19.6 ~~or other reason for applying to enroll in a nonresident district.~~ The pupil's application must
19.7 identify ~~the~~ a reason for enrolling in the nonresident district. The parent or guardian of a
19.8 pupil must submit ~~an~~ a signed application by January 15 for initial enrollment beginning
19.9 the following school year. The application must be on a form provided by the Department
19.10 of Education. A particular school or program may be requested by the parent. Once
19.11 enrolled in a nonresident district, the pupil may remain enrolled and is not required to
19.12 submit annual or periodic applications. If the student moves to a new resident district,
19.13 the student retains the seat in the nonresident district, but must submit a new enrollment
19.14 options form to update the student's information. To return to the resident district or to
19.15 transfer to a different nonresident district, the parent or guardian of the pupil must provide
19.16 notice to the resident district or apply to a different nonresident district by January 15 for
19.17 enrollment beginning the following school year.

19.18 Sec. 16. Minnesota Statutes 2012, section 124D.03, subdivision 4, is amended to read:

19.19 Subd. 4. **Desegregation Achievement and integration district transfers.** (a)

19.20 This subdivision applies to a transfer into or out of a district that has ~~a desegregation~~ an
19.21 achievement and integration plan approved by the commissioner of education.

19.22 (b) An application to transfer may be submitted at any time for enrollment beginning
19.23 at any time.

19.24 (c) A pupil enrolled in a nonresident district under ~~a desegregation~~ an achievement
19.25 and integration plan approved by the commissioner of education is not required to make
19.26 annual or periodic application for enrollment but may remain enrolled in the same district.
19.27 A pupil may transfer to the resident district at any time.

19.28 (d) Subdivision 2 applies to a transfer into or out of a district with ~~a desegregation~~ an
19.29 achievement and integration plan.

19.30 Sec. 17. Minnesota Statutes 2012, section 124D.03, subdivision 5, is amended to read:

19.31 Subd. 5. **Nonresident district procedures.** A district shall notify the parent or
19.32 guardian in writing by February 15 or within 90 days for applications submitted after
19.33 January 15 in the case of achievement and integration district transfers whether the
19.34 application has been accepted or rejected. If an application is rejected, the district must

20.1 state in the notification the reason for rejection. The parent or guardian must notify the
20.2 nonresident district by March 1 or within 45 days whether the pupil intends to enroll in the
20.3 nonresident district. Notice of intent to enroll in the nonresident district obligates the pupil
20.4 to attend the nonresident district during the following school year, unless the boards of
20.5 the resident and the nonresident districts agree in writing to allow the pupil to transfer
20.6 back to the resident district, ~~or~~ if the pupil's parents or guardians change residence to
20.7 another district, the student does not lose the seat in the nonresident district but the parent
20.8 or guardian must complete an updated enrollment options form. If a parent or guardian
20.9 does not notify the nonresident district by the January 15 deadline, if it applies, the pupil
20.10 may not enroll in that nonresident district during the following school year, unless the
20.11 boards of the resident and nonresident district agree otherwise. The nonresident district
20.12 must notify the resident district by March 15 or 30 days later of the pupil's intent to enroll
20.13 in the nonresident district. The same procedures apply to a pupil who applies to transfer
20.14 from one participating nonresident district to another participating nonresident district.

20.15 Sec. 18. Minnesota Statutes 2012, section 124D.03, is amended by adding a
20.16 subdivision to read:

20.17 Subd. 5a. **Lotteries.** If a school district has more applications than available seats at
20.18 a specific grade level, it must hold an impartial lottery following the January 15 deadline
20.19 to determine which students will receive seats. Siblings of currently enrolled students and
20.20 applications related to an approved integration and achievement plan must receive priority
20.21 in the lottery. The process for the school district lottery must be established in school
20.22 district policy, approved by the school board, and be posted on the school district's Web site.

20.23 Sec. 19. Minnesota Statutes 2012, section 124D.03, subdivision 6, is amended to read:

20.24 Subd. 6. **Basis for decisions.** The board must adopt, by resolution, specific
20.25 standards for acceptance and rejection of applications. Standards may include the capacity
20.26 of a program, excluding special education services; class;₂ or school building. The
20.27 school board may not reject applications for enrollment in a particular grade level if the
20.28 nonresident enrollment at that grade level does not exceed the limit set by the board under
20.29 subdivision 2. Standards may not include previous academic achievement, athletic or
20.30 other extracurricular ability, disabling conditions, proficiency in the English language,
20.31 previous disciplinary proceedings, or the student's district of residence, except where the
20.32 district of residence is directly included in an enrollment options strategy included in an
20.33 approved achievement and integration program.

21.1 Sec. 20. Minnesota Statutes 2012, section 124D.09, subdivision 6, is amended to read:

21.2 Subd. 6. **Counseling.** ~~To the extent possible,~~ The school or school district must
21.3 provide counseling services to pupils and their parents or guardian before the pupils enroll
21.4 in courses under this section to ensure that the pupils and their parents or guardian are
21.5 fully aware of the risks and possible consequences of enrolling in postsecondary courses.
21.6 The school or school district must provide information on the program including who may
21.7 enroll, what institutions and courses are eligible for participation, the decision-making
21.8 process for granting academic credits, financial arrangements for tuition, books and
21.9 materials, eligibility criteria for transportation aid, available support services, the need
21.10 to arrange an appropriate schedule, consequences of failing or not completing a course
21.11 in which the pupil enrolls, the effect of enrolling in this program on the pupil's ability to
21.12 complete the required high school graduation requirements, and the academic and social
21.13 responsibilities that must be assumed by the pupils and their parents or guardian. The
21.14 person providing counseling shall encourage pupils and their parents or guardian to also
21.15 use available counseling services at the postsecondary institutions before the quarter or
21.16 semester of enrollment to ensure that anticipated plans are appropriate.

21.17 Prior to enrolling in a course, the pupil and the pupil's parents or guardian must sign
21.18 a form that must be provided by the school or school district and may be obtained from a
21.19 postsecondary institution stating that they have received the information specified in this
21.20 subdivision and that they understand the responsibilities that must be assumed in enrolling
21.21 in this program. The department must, upon request, provide technical assistance to a
21.22 school or school district in developing appropriate forms and counseling guidelines.

21.23 Sec. 21. Minnesota Statutes 2012, section 124D.09, subdivision 7, is amended to read:

21.24 Subd. 7. **Dissemination of information; notification of intent to enroll.** By March
21.25 1 of each year, a district must provide ~~general~~ up-to-date information on the district's Web
21.26 site about the program, including information about enrollment requirements and the
21.27 ability to earn postsecondary credit to all pupils in grades 8, 9, 10, and 11. To assist the
21.28 district in planning, a pupil shall inform the district by May 30 of each year of the pupil's
21.29 intent to enroll in postsecondary courses during the following school year. A pupil is
21.30 bound by notifying or not notifying the district by May 30.

21.31 Sec. 22. Minnesota Statutes 2013 Supplement, section 124D.10, subdivision 3, is
21.32 amended to read:

21.33 Subd. 3. **Authorizer.** (a) For purposes of this section, the terms defined in this
21.34 subdivision have the meanings given them.

22.1 "Application" to receive approval as an authorizer means the proposal an eligible
22.2 authorizer submits to the commissioner under paragraph (c) before that authorizer is able
22.3 to submit any affidavit to charter to a school.

22.4 "Application" under subdivision 4 means the charter school business plan a
22.5 school developer submits to an authorizer for approval to establish a charter school that
22.6 documents the school developer's mission statement, school purposes, program design,
22.7 financial plan, governance and management structure, and background and experience,
22.8 plus any other information the authorizer requests. The application also shall include a
22.9 "statement of assurances" of legal compliance prescribed by the commissioner.

22.10 "Affidavit" means a written statement the authorizer submits to the commissioner
22.11 for approval to establish a charter school under subdivision 4 attesting to its review and
22.12 approval process before chartering a school.

22.13 (b) The following organizations may authorize one or more charter schools:

22.14 (1) a school board, intermediate school district school board, or education district
22.15 organized under sections 123A.15 to 123A.19;

22.16 (2) a charitable organization under section 501(c)(3) of the Internal Revenue Code
22.17 of 1986, excluding a nonpublic sectarian or religious institution; any person other than a
22.18 natural person that directly or indirectly, through one or more intermediaries, controls,
22.19 is controlled by, or is under common control with the nonpublic sectarian or religious
22.20 institution; and any other charitable organization under this clause that in the federal IRS
22.21 Form 1023, Part IV, describes activities indicating a religious purpose, that:

22.22 (i) is a member of the Minnesota Council of Nonprofits or the Minnesota Council on
22.23 Foundations;

22.24 (ii) is registered with the attorney general's office; and

22.25 (iii) is incorporated in the state of Minnesota and has been operating continuously
22.26 for at least five years but does not operate a charter school;

22.27 (3) a Minnesota private college, notwithstanding clause (2), that grants two- or
22.28 four-year degrees and is registered with the Minnesota Office of Higher Education under
22.29 chapter 136A; community college, state university, or technical college governed by the
22.30 Board of Trustees of the Minnesota State Colleges and Universities; or the University
22.31 of Minnesota;

22.32 (4) a nonprofit corporation subject to chapter 317A, described in section 317A.905,
22.33 and exempt from federal income tax under section 501(c)(6) of the Internal Revenue Code
22.34 of 1986, may authorize one or more charter schools if the charter school has operated
22.35 for at least three years under a different authorizer and if the nonprofit corporation has
22.36 existed for at least 25 years; or

23.1 (5) single-purpose authorizers ~~that are~~ formed as charitable, nonsectarian
23.2 organizations ~~formed~~ under section 501(c)(3) of the Internal Revenue Code of 1986 and
23.3 incorporated in the state of Minnesota under chapter 317A as a corporation with no
23.4 members ~~whose~~ or under section 322B.975 as a nonprofit limited liability company for
23.5 the sole purpose is to charter of chartering schools. Eligible organizations interested
23.6 in being approved as an authorizer under this paragraph must submit a proposal to the
23.7 commissioner that includes the provisions of paragraph (c) and a five-year financial plan.
23.8 Such authorizers shall consider and approve charter school applications using the criteria
23.9 provided in subdivision 4 and shall not limit the applications it solicits, considers, or
23.10 approves to any single curriculum, learning program, or method.

23.11 (c) An eligible authorizer under this subdivision must apply to the commissioner for
23.12 approval as an authorizer before submitting any affidavit to the commissioner to charter
23.13 a school. The application for approval as a charter school authorizer must demonstrate
23.14 the applicant's ability to implement the procedures and satisfy the criteria for chartering a
23.15 school under this section. The commissioner must approve or disapprove an application
23.16 within 45 business days of the application deadline. If the commissioner disapproves
23.17 the application, the commissioner must notify the applicant of the specific deficiencies
23.18 in writing and the applicant then has 20 business days to address the deficiencies to the
23.19 commissioner's satisfaction. After the 20 business days expire, the commissioner has 15
23.20 business days to make a final decision to approve or disapprove the application. Failing to
23.21 address the deficiencies to the commissioner's satisfaction makes an applicant ineligible to
23.22 be an authorizer. The commissioner, in establishing criteria for approval, must consider
23.23 the applicant's:

- 23.24 (1) capacity and infrastructure;
23.25 (2) application criteria and process;
23.26 (3) contracting process;
23.27 (4) ongoing oversight and evaluation processes; and
23.28 (5) renewal criteria and processes.

23.29 (d) An applicant must include in its application to the commissioner to be an
23.30 approved authorizer at least the following:

- 23.31 (1) how chartering schools is a way for the organization to carry out its mission;
23.32 (2) a description of the capacity of the organization to serve as an authorizer,
23.33 including the personnel who will perform the authorizing duties, their qualifications, the
23.34 amount of time they will be assigned to this responsibility, and the financial resources
23.35 allocated by the organization to this responsibility;

24.1 (3) a description of the application and review process the authorizer will use to
24.2 make decisions regarding the granting of charters;

24.3 (4) a description of the type of contract it will arrange with the schools it charters
24.4 that meets the provisions of subdivision 6;

24.5 (5) the process to be used for providing ongoing oversight of the school consistent
24.6 with the contract expectations specified in clause (4) that assures that the schools chartered
24.7 are complying with both the provisions of applicable law and rules, and with the contract;

24.8 (6) a description of the criteria and process the authorizer will use to grant expanded
24.9 applications under subdivision 4, paragraph (j);

24.10 (7) the process for making decisions regarding the renewal or termination of
24.11 the school's charter based on evidence that demonstrates the academic, organizational,
24.12 and financial competency of the school, including its success in increasing student
24.13 achievement and meeting the goals of the charter school agreement; and

24.14 (8) an assurance specifying that the organization is committed to serving as an
24.15 authorizer for the full five-year term.

24.16 (e) A disapproved applicant under this section may resubmit an application during a
24.17 future application period.

24.18 (f) If the governing board of an approved authorizer votes to withdraw as an
24.19 approved authorizer for a reason unrelated to any cause under subdivision 23, the
24.20 authorizer must notify all its chartered schools and the commissioner in writing by July
24.21 15 of its intent to withdraw as an authorizer on June 30 in the next calendar year. The
24.22 commissioner may approve the transfer of a charter school to a new authorizer under this
24.23 paragraph after the new authorizer submits an affidavit to the commissioner.

24.24 (g) The authorizer must participate in department-approved training.

24.25 (h) The commissioner shall review an authorizer's performance every five years in
24.26 a manner and form determined by the commissioner and may review an authorizer's
24.27 performance more frequently at the commissioner's own initiative or at the request of a
24.28 charter school operator, charter school board member, or other interested party. The
24.29 commissioner, after completing the review, shall transmit a report with findings to the
24.30 authorizer. If, consistent with this section, the commissioner finds that an authorizer has
24.31 not fulfilled the requirements of this section, the commissioner may subject the authorizer
24.32 to corrective action, which may include terminating the contract with the charter school
24.33 board of directors of a school it chartered. The commissioner must notify the authorizer
24.34 in writing of any findings that may subject the authorizer to corrective action and
24.35 the authorizer then has 15 business days to request an informal hearing before the
24.36 commissioner takes corrective action. If the commissioner terminates a contract between

25.1 an authorizer and a charter school under this paragraph, the commissioner may assist the
25.2 charter school in acquiring a new authorizer.

25.3 (i) The commissioner may at any time take corrective action against an authorizer,
25.4 including terminating an authorizer's ability to charter a school for:

25.5 (1) failing to demonstrate the criteria under paragraph (c) under which the
25.6 commissioner approved the authorizer;

25.7 (2) violating a term of the chartering contract between the authorizer and the charter
25.8 school board of directors;

25.9 (3) unsatisfactory performance as an approved authorizer; or

25.10 (4) any good cause shown that provides the commissioner a legally sufficient reason
25.11 to take corrective action against an authorizer.

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

25.13 Sec. 23. Minnesota Statutes 2013 Supplement, section 124D.4531, subdivision 1,
25.14 is amended to read:

25.15 Subdivision 1. **Career and technical revenue.** (a) A district with a career and
25.16 technical program approved under this section for the fiscal year in which the levy is
25.17 certified is eligible for career and technical revenue equal to 35 percent of approved
25.18 expenditures in the fiscal year in which the levy is certified for the following:

25.19 (1) salaries paid to essential, licensed personnel providing direct instructional
25.20 services to students in that fiscal year, including extended contracts, for services rendered
25.21 in the district's approved career and technical education programs, excluding salaries
25.22 reimbursed by another school district under clause (2);

25.23 (2) amounts paid to another Minnesota school district for salaries of essential,
25.24 licensed personnel providing direct instructional services to students in that fiscal year for
25.25 services rendered in the district's approved career and technical education programs;

25.26 (3) contracted services provided by a public or private agency other than a Minnesota
25.27 school district or cooperative center under ~~subdivision 7~~ chapter 123A or 136D;

25.28 (4) necessary travel between instructional sites by licensed career and technical
25.29 education personnel;

25.30 (5) necessary travel by licensed career and technical education personnel for
25.31 vocational student organization activities held within the state for instructional purposes;

25.32 (6) curriculum development activities that are part of a five-year plan for
25.33 improvement based on program assessment;

25.34 (7) necessary travel by licensed career and technical education personnel for
25.35 noncollegiate credit-bearing professional development; and

26.1 (8) specialized vocational instructional supplies.

26.2 ~~(b) Up to ten percent of a district's career and technical revenue may be spent on~~
26.3 ~~equipment purchases. Districts using the career and technical revenue for equipment~~
26.4 ~~purchases must report to the department on the improved learning opportunities for~~
26.5 ~~students that result from the investment in equipment.~~

26.6 ~~(e) (b)~~ The district must recognize the full amount of this levy as revenue for the
26.7 fiscal year in which it is certified.

26.8 ~~(d) (c)~~ The amount of the revenue calculated under this subdivision may not exceed
26.9 \$17,850,000 for taxes payable in 2012, \$15,520,000 for taxes payable in 2013, and
26.10 \$20,657,000 for taxes payable in 2014.

26.11 ~~(e) (d)~~ If the estimated revenue exceeds the amount in paragraph ~~(d) (c)~~, the
26.12 commissioner must reduce the percentage in paragraph (a) until the estimated revenue no
26.13 longer exceeds the limit in paragraph ~~(d) (c)~~.

26.14 Sec. 24. Minnesota Statutes 2013 Supplement, section 124D.4531, subdivision 3,
26.15 is amended to read:

26.16 Subd. 3. **Revenue guarantee.** Notwithstanding subdivision 1, paragraph (a), the
26.17 career and technical education revenue for a district is not less than the lesser of:

26.18 (1) the district's career and technical education revenue for the previous fiscal year; or

26.19 (2) 100 percent of the approved expenditures for career and technical programs
26.20 included in subdivision 1, paragraph ~~(b) (a)~~, for the fiscal year in which the levy is certified.

26.21 Sec. 25. Minnesota Statutes 2013 Supplement, section 124D.4531, subdivision 3a,
26.22 is amended to read:

26.23 Subd. 3a. **Revenue adjustments.** Notwithstanding subdivisions 1, 1a, and 3, for
26.24 taxes payable in 2012 to 2014 only, the department must calculate the career and technical
26.25 revenue for each district according to Minnesota Statutes 2010, section 124D.4531, and
26.26 adjust the revenue for each district proportionately to meet the statewide revenue target
26.27 under subdivision 1, paragraph ~~(d) (c)~~. For purposes of calculating the revenue guarantee
26.28 under subdivision 3, the career and technical education revenue for the previous fiscal
26.29 year is the revenue according to Minnesota Statutes 2010, section 124D.4531, before
26.30 adjustments to meet the statewide revenue target.

26.31 Sec. 26. Minnesota Statutes 2013 Supplement, section 124D.861, subdivision 3,
26.32 is amended to read:

27.1 Subd. 3. **Public engagement; progress report and budget process.** (a) To
27.2 receive revenue under section 124D.862, the school board of an eligible district must
27.3 incorporate school and district plan components under section 120B.11 into the district's
27.4 comprehensive integration plan.

27.5 (b) A school board must hold at least one formal annual hearing to publicly report its
27.6 progress in realizing the goals identified in its plan. At the hearing, the board must provide
27.7 the public with longitudinal data demonstrating district and school progress in reducing
27.8 the disparities in student academic performance among the specified categories of students
27.9 and in realizing racial and economic integration, consistent with the district plan and the
27.10 measures in paragraph (a). At least 30 days before the formal hearing under this paragraph,
27.11 the board must post its plan, its preliminary analysis, relevant student performance data,
27.12 and other longitudinal data on the district's Web site. A district must hold one hearing to
27.13 meet the hearing requirements of both this section and section 120B.11.

27.14 (c) The district must submit a detailed budget to the commissioner by March 15 in
27.15 the year before it implements its plan. The commissioner must review, and approve or
27.16 disapprove the district's budget by June 1 of that year.

27.17 (d) The longitudinal data required under paragraph (a) must be based on student
27.18 growth and progress in reading and mathematics, as defined under section 120B.30,
27.19 subdivision 1, and student performance data and achievement reports from fully adaptive
27.20 reading and mathematics assessments for grades 3 through 7 beginning in the 2015-2016
27.21 school year under section 120B.30, subdivision 1a, and either (i) school enrollment
27.22 choices, (ii) the number of world language proficiency or high achievement certificates
27.23 awarded under section 120B.022, subdivision 1, ~~paragraphs (b) and (c)~~ 1a, or the number
27.24 of state bilingual and multilingual seals issued under section 120B.022, subdivision 1b,
27.25 or (iii) school safety and students' engagement and connection at school under section
27.26 120B.35, subdivision 3, paragraph (d). Additional longitudinal data may be based on:
27.27 students' progress toward career and college readiness under section 120B.30, subdivision
27.28 1; or rigorous coursework completed under section 120B.35, subdivision 3, paragraph
27.29 (c), clause (2).

27.30 **EFFECTIVE DATE.** This section is effective for the 2014-2015 school year and
27.31 later.

27.32 Sec. 27. Minnesota Statutes 2013 Supplement, section 127A.70, subdivision 2, is
27.33 amended to read:

27.34 Subd. 2. **Powers and duties; report.** (a) The partnership shall develop
27.35 recommendations to the governor and the legislature designed to maximize the achievement

28.1 of all P-20 students while promoting the efficient use of state resources, thereby helping
28.2 the state realize the maximum value for its investment. These recommendations may
28.3 include, but are not limited to, strategies, policies, or other actions focused on:

28.4 (1) improving the quality of and access to education at all points from preschool
28.5 through graduate education;

28.6 (2) improving preparation for, and transitions to, postsecondary education and
28.7 work; ~~and~~

28.8 (3) ensuring educator quality by creating rigorous standards for teacher recruitment,
28.9 teacher preparation, induction and mentoring of beginning teachers, and continuous
28.10 professional development for career teachers; and

28.11 (4) realigning the governance and administrative structures of early education,
28.12 kindergarten through grade 12, and postsecondary systems in Minnesota.

28.13 (b) Under the direction of the P-20 Education Partnership Statewide Longitudinal
28.14 Education Data System Governance Committee, the Office of Higher Education and the
28.15 Departments of Education and Employment and Economic Development shall improve
28.16 and expand the Statewide Longitudinal Education Data System (SLEDS) to provide
28.17 policymakers, education and workforce leaders, researchers, and members of the public
28.18 with data, research, and reports to:

28.19 (1) expand reporting on students' educational outcomes;

28.20 (2) evaluate the effectiveness of educational and workforce programs; and

28.21 (3) evaluate the relationship between education and workforce outcomes.

28.22 To the extent possible under federal and state law, research and reports should be
28.23 accessible to the public on the Internet, and disaggregated by demographic characteristics,
28.24 organization or organization characteristics, and geography.

28.25 It is the intent of the legislature that the Statewide Longitudinal Education Data
28.26 System inform public policy and decision-making. The SLEDS governance committee,
28.27 with assistance from staff of the Office of Higher Education, the Department of Education,
28.28 and the Department of Employment and Economic Development, shall respond to
28.29 legislative committee and agency requests on topics utilizing data made available through
28.30 the Statewide Longitudinal Education Data System as resources permit. Any analysis of
28.31 or report on the data must contain only summary data.

28.32 (c) By January 15 of each year, the partnership shall submit a report to the governor
28.33 and to the chairs and ranking minority members of the legislative committees and
28.34 divisions with jurisdiction over P-20 education policy and finance that summarizes the
28.35 partnership's progress in meeting its goals and identifies the need for any draft legislation

29.1 when necessary to further the goals of the partnership to maximize student achievement
29.2 while promoting efficient use of resources.

29.3 **Sec. 28. MNSCU REVIEW OF WORLD LANGUAGE COMPETENCIES.**

29.4 The Minnesota State Colleges and Universities (MnSCU) chancellor, after
29.5 consulting with the world language faculty, must review the specific competencies a
29.6 K-12 student masters in attaining a state bilingual seal, multilingual seal, Minnesota
29.7 World Language Proficiency Certificate, or Minnesota World Language Proficiency High
29.8 Achievement Certificate under section 3, subdivisions 1a and 1b, and determine credit
29.9 and course equivalencies for each seal or certificate. The chancellor, or the chancellor's
29.10 designee, must report findings, determinations, and any recommendations to the education
29.11 policy and finance committees of the legislature by February 15, 2015.

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

29.13 **Sec. 29. REPEALER.**

29.14 Minnesota Statutes 2012, sections 120B.35, subdivision 4; and 122A.61, subdivision
29.15 2, are repealed.

29.16 **ARTICLE 3**

29.17 **SPECIAL PROGRAMS**

29.18 Section 1. Minnesota Statutes 2012, section 121A.582, subdivision 1, is amended to
29.19 read:

29.20 Subdivision 1. **Reasonable force standard.** (a) A teacher or school principal, in
29.21 exercising the person's lawful authority, may use reasonable force when it is necessary
29.22 under the circumstances to correct or restrain a student or prevent bodily harm or death
29.23 to another.

29.24 (b) A school employee, school bus driver, or other agent of a district, in exercising
29.25 the person's lawful authority, may use reasonable force when it is necessary under the
29.26 circumstances to restrain a student or prevent bodily harm or death to another.

29.27 (c) Paragraphs (a) and (b) do not authorize conduct prohibited under ~~sections~~
29.28 ~~121A.58 and 121A.67~~ section 125A.0942.

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

29.30 Sec. 2. Minnesota Statutes 2012, section 125A.023, subdivision 3, is amended to read:

30.1 Subd. 3. **Definitions.** For purposes of this section and section 125A.027, the
30.2 following terms have the meanings given them:

30.3 (a) "Health plan" means:

30.4 (1) a health plan under section 62Q.01, subdivision 3;

30.5 (2) a county-based purchasing plan under section 256B.692;

30.6 (3) a self-insured health plan established by a local government under section
30.7 471.617; or

30.8 (4) self-insured health coverage provided by the state to its employees or retirees.

30.9 (b) For purposes of this section, "health plan company" means an entity that issues
30.10 a health plan as defined in paragraph (a).

30.11 ~~(e) "Individual interagency intervention plan" means a standardized written plan
30.12 describing those programs or services and the accompanying funding sources available to
30.13 eligible children with disabilities.~~

30.14 ~~(d)~~ (c) "Interagency intervention service system" means a system that coordinates
30.15 services and programs required in state and federal law to meet the needs of eligible
30.16 children with disabilities ages birth through 21, including:

30.17 (1) services provided under the following programs or initiatives administered
30.18 by state or local agencies:

30.19 (i) the maternal and child health program under title V of the Social Security Act;

30.20 (ii) the Minnesota children with special health needs program under sections 144.05
30.21 and 144.07;

30.22 (iii) the Individuals with Disabilities Education Act, Part B, section 619, and Part
30.23 C as amended;

30.24 (iv) medical assistance under title 42, chapter 7, of the Social Security Act;

30.25 (v) developmental disabilities services under chapter 256B;

30.26 (vi) the Head Start Act under title 42, chapter 105, of the Social Security Act;

30.27 (vii) vocational rehabilitation services provided under chapters 248 and 268A and
30.28 the Rehabilitation Act of 1973;

30.29 (viii) Juvenile Court Act services provided under sections 260.011 to 260.91;
30.30 260B.001 to 260B.446; and 260C.001 to 260C.451;

30.31 (ix) Minnesota Comprehensive Children's Mental Health Act under section 245.487;

30.32 (x) the community health services grants under sections 145.88 to 145.9266;

30.33 (xi) the Local Public Health Act under chapter 145A; and

30.34 (xii) the Vulnerable Children and Adults Act, sections 256M.60 to 256M.80;

30.35 (2) service provision and funding that can be coordinated through:

30.36 (i) the children's mental health collaborative under section 245.493;

- 31.1 (ii) the family services collaborative under section 124D.23;
- 31.2 (iii) the community transition interagency committees under section 125A.22; and
- 31.3 (iv) the interagency early intervention committees under section 125A.259;
- 31.4 (3) financial and other funding programs to be coordinated including medical
- 31.5 assistance under title 42, chapter 7, of the Social Security Act, the MinnesotaCare program
- 31.6 under chapter 256L, Supplemental Social Security Income, Developmental Disabilities
- 31.7 Assistance, and any other employment-related activities associated with the Social
- 31.8 Security Administration; and services provided under a health plan in conformity with an
- 31.9 individual family service plan or an individualized education program or an individual
- 31.10 interagency intervention plan; and
- 31.11 (4) additional appropriate services that local agencies and counties provide on
- 31.12 an individual need basis upon determining eligibility and receiving a request from the
- 31.13 interagency early intervention committee and the child's parent.
- 31.14 ~~(e)~~ (d) "Children with disabilities" has the meaning given in section 125A.02.
- 31.15 ~~(f)~~ (e) A "standardized written plan" means those individual services or programs,₂
- 31.16 with accompanying funding sources, available through the interagency intervention
- 31.17 service system to an eligible child other than the services or programs described in the
- 31.18 child's individualized education program or the child's individual family service plan.

31.19 Sec. 3. Minnesota Statutes 2012, section 125A.023, subdivision 4, is amended to read:

31.20 Subd. 4. **State Interagency Committee.** (a) The commissioner of education, on

31.21 behalf of the governor,₂ shall convene a ~~19-member~~ an interagency committee to develop

31.22 and implement a coordinated, multidisciplinary, interagency intervention service system

31.23 for children ages three to 21 with disabilities. The commissioners of commerce, education,

31.24 health, human rights, human services, employment and economic development, and

31.25 corrections shall each appoint two committee members from their departments; ~~the~~

31.26 ~~Association of Minnesota Counties shall appoint two county representatives, one of whom~~

31.27 ~~must be an elected official, as committee members;~~ and the Association of Minnesota

31.28 Counties, Minnesota School Boards Association, the Minnesota Administrators of Special

31.29 Education, and the School Nurse Association of Minnesota shall each appoint one

31.30 committee member. The committee shall select a chair from among its members.

31.31 (b) The committee shall:

31.32 (1) identify and assist in removing state and federal barriers to local coordination of

31.33 services provided to children with disabilities;

31.34 (2) identify adequate, equitable, and flexible funding sources to streamline these

31.35 services;

32.1 (3) develop guidelines for implementing policies that ensure a comprehensive and
32.2 coordinated system of all state and local agency services, including multidisciplinary
32.3 assessment practices for children with disabilities ages three to 21; including:

32.4 ~~(4)~~ (i) develop, consistent with federal law, a standardized written plan for providing
32.5 services to a child with disabilities;

32.6 ~~(5)~~ (ii) identify how current systems for dispute resolution can be coordinated ~~and~~
32.7 ~~develop guidelines for that coordination;~~

32.8 ~~(6)~~ (iii) develop an evaluation process to measure the success of state and local
32.9 interagency efforts in improving the quality and coordination of services to children with
32.10 disabilities ages three to 21; and

32.11 ~~(7)~~ (iv) develop guidelines to assist the governing boards of the interagency
32.12 early intervention committees in carrying out the duties assigned in section 125A.027,
32.13 subdivision 1, paragraph (b); and

32.14 ~~(8)~~ (4) carry out other duties necessary to develop and implement within
32.15 communities a coordinated, multidisciplinary, interagency intervention service system for
32.16 children with disabilities.

32.17 (c) The committee shall consult on an ongoing basis with the state Special Education
32.18 Advisory Committee for Special Education Panel and the governor's Interagency
32.19 Coordinating Council in carrying out its duties under this section, including assisting the
32.20 governing boards of the interagency early intervention committees.

32.21 Sec. 4. Minnesota Statutes 2012, section 125A.027, subdivision 1, is amended to read:

32.22 Subdivision 1. **Additional duties.** (a) The governing boards of the interagency early
32.23 intervention committees are responsible for developing and implementing interagency
32.24 policies and procedures to coordinate services at the local level for children with
32.25 disabilities ages three to 21 under guidelines established by the state interagency
32.26 committee under section 125A.023, subdivision 4. Consistent with the requirements
32.27 in this section and section 125A.023, the governing boards of the interagency early
32.28 intervention committees ~~shall~~ may organize as a joint powers board under section 471.59
32.29 or enter into an interagency agreement that establishes a governance structure.

32.30 (b) The governing board of each interagency early intervention committee as defined
32.31 in section 125A.30, paragraph (a), which may include a juvenile justice professional, shall:

32.32 (1) identify ~~and assist in removing~~ state and federal barriers to local coordination of
32.33 services provided to children with disabilities;

32.34 (2) ~~identify adequate, equitable, and flexible use of funding by local agencies for~~
32.35 ~~these services;~~

33.1 ~~(3)~~ implement policies that ensure a comprehensive and coordinated system of
 33.2 all state and local agency services, including practices on multidisciplinary assessment
 33.3 practices, standardized written plans, dispute resolution, and system evaluation for
 33.4 children with disabilities ages three to 21;

33.5 ~~(4)~~ use a standardized written plan for providing services to a child with disabilities
 33.6 developed under section 125A.023;

33.7 ~~(5)~~ access the coordinated dispute resolution system and incorporate the guidelines
 33.8 for coordinating services at the local level, consistent with section 125A.023;

33.9 ~~(6)~~ use the evaluation process to measure the success of the local interagency effort
 33.10 in improving the quality and coordination of services to children with disabilities ages
 33.11 three to 21 consistent with section 125A.023;

33.12 ~~(7)~~ develop a transitional plan for children moving from the interagency early
 33.13 childhood intervention system under sections 125A.259 to 125A.48 into the interagency
 33.14 intervention service system under this section;

33.15 ~~(8)~~ (3) coordinate services and facilitate payment for services from public and
 33.16 private institutions, agencies, and health plan companies; and

33.17 ~~(9)~~ (4) share needed information consistent with state and federal data practices
 33.18 requirements.

33.19 Sec. 5. Minnesota Statutes 2012, section 125A.027, subdivision 4, is amended to read:

33.20 Subd. 4. **Responsibilities of school and county boards.** (a) It is the joint
 33.21 responsibility of school and county boards to coordinate, provide, and pay for appropriate
 33.22 services, and to facilitate payment for services from public and private sources. Appropriate
 33.23 service for children eligible under section 125A.02 and receiving service from two or more
 33.24 public agencies of which one is the public school must be determined in consultation with
 33.25 parents, physicians, and other education, medical health, and human services providers.
 33.26 The services provided must be in conformity with ~~an Individual Interagency Intervention~~
 33.27 ~~Plan (HHP)~~ a standardized written plan for each eligible child ages 3 to 21.

33.28 (b) Appropriate services include those services listed on a child's HHP standardized
 33.29 written plan. These services are those that are required to be documented on a plan under
 33.30 federal and state law or rule.

33.31 (c) School and county boards shall coordinate interagency services. Service
 33.32 responsibilities for eligible children, ages 3 to 21, ~~shall~~ may be established in interagency
 33.33 agreements or joint powers board agreements. In addition, interagency agreements or joint
 33.34 powers board agreements ~~shall~~ may be developed to establish agency responsibility that
 33.35 assures that coordinated interagency services are coordinated, provided, and paid for, and

34.1 that payment is facilitated from public and private sources. School boards must provide,
34.2 pay for, and facilitate payment for special education services as required under sections
34.3 125A.03 and 125A.06. County boards must provide, pay for, and facilitate payment for
34.4 those programs over which they have service and fiscal responsibility as referenced in
34.5 section 125A.023, subdivision 3, paragraph ~~(d)~~ (c), clause (1).

34.6 Sec. 6. Minnesota Statutes 2012, section 125A.03, is amended to read:

34.7 **125A.03 SPECIAL INSTRUCTION FOR CHILDREN WITH A DISABILITY.**

34.8 (a) As defined in paragraph (b), every district must provide special instruction and
34.9 services, either within the district or in another district, for all children with a disability,
34.10 including providing required services under Code of Federal Regulations, title 34, section
34.11 300.121, paragraph (d), to those children suspended or expelled from school for more than
34.12 ten school days in that school year, who are residents of the district and who are disabled
34.13 as set forth in section 125A.02. For purposes of state and federal special education
34.14 laws, the phrase "special instruction and services" in the state Education Code means a
34.15 free and appropriate public education provided to an eligible child with disabilities ~~and~~
34.16 ~~includes special education and related services defined in the Individuals with Disabilities~~
34.17 ~~Education Act, subpart A, section 300.24.~~ "Free appropriate public education" means
34.18 special education and related services that:

34.19 (1) are provided at public expense, under public supervision and direction, and
34.20 without charge;

34.21 (2) meet the standards of the state, including the requirements of the Individuals
34.22 with Disabilities Education Act, Part B or C;

34.23 (3) include an appropriate preschool, elementary school, or secondary school
34.24 education; and

34.25 (4) are provided to children ages three through 21 in conformity with an
34.26 individualized education program that meets the requirements of the Individuals with
34.27 Disabilities Education Act, subpart A, sections 300.320 to 300.324, and provided to
34.28 infants and toddlers in conformity with an individualized family service plan that meets
34.29 the requirements of the Individuals with Disabilities Education Act, subpart A, sections
34.30 303.300 to 303.346.

34.31 ~~(b) Notwithstanding any age limits in laws to the contrary, special instruction and~~
34.32 ~~services must be provided from birth until July 1 after the child with a disability becomes~~
34.33 ~~21 years old but shall not extend beyond secondary school or its equivalent, except as~~
34.34 ~~provided in section 124D.68, subdivision 2. Local health, education, and social service~~
34.35 ~~agencies must refer children under age five who are known to need or suspected of~~

35.1 needing special instruction and services to the school district. Districts with less than the
35.2 minimum number of eligible children with a disability as determined by the commissioner
35.3 must cooperate with other districts to maintain a full range of programs for education
35.4 and services for children with a disability. This section does not alter the compulsory
35.5 attendance requirements of section 120A.22.

35.6 Sec. 7. Minnesota Statutes 2012, section 125A.08, is amended to read:

35.7 **125A.08 INDIVIDUALIZED EDUCATION PROGRAMS.**

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

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

35.11 (1) all students with disabilities are provided the special instruction and services
35.12 which are appropriate to their needs. Where the individualized education program team
35.13 has determined appropriate goals and objectives based on the student's needs, including
35.14 the extent to which the student can be included in the least restrictive environment,
35.15 and where there are essentially equivalent and effective instruction, related services, or
35.16 assistive technology devices available to meet the student's needs, cost to the district may
35.17 be among the factors considered by the team in choosing how to provide the appropriate
35.18 services, instruction, or devices that are to be made part of the student's individualized
35.19 education program. The individualized education program team shall consider and
35.20 may authorize services covered by medical assistance according to section 256B.0625,
35.21 subdivision 26. The student's needs and the special education instruction and services to
35.22 be provided must be agreed upon through the development of an individualized education
35.23 program. The program must address the student's need to develop skills to live and work
35.24 as independently as possible within the community. The individualized education program
35.25 team must consider positive behavioral interventions, strategies, and supports that address
35.26 behavior for children with attention deficit disorder or attention deficit hyperactivity
35.27 disorder. During grade 9, the program must address the student's needs for transition from
35.28 secondary services to postsecondary education and training, employment, community
35.29 participation, recreation, and leisure and home living. In developing the program, districts
35.30 must inform parents of the full range of transitional goals and related services that should
35.31 be considered. The program must include a statement of the needed transition services,
35.32 including a statement of the interagency responsibilities or linkages or both before
35.33 secondary services are concluded;

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

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

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

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

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

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

36.20 (c) For paraprofessionals employed to work in programs for students with
36.21 disabilities, the school board in each district shall ensure that:

36.22 (1) before or immediately upon employment, each paraprofessional develops
36.23 sufficient knowledge and skills in emergency procedures, building orientation, roles and
36.24 responsibilities, confidentiality, vulnerability, and reportability, among other things, to
36.25 begin meeting the needs of the students with whom the paraprofessional works;

36.26 (2) annual training opportunities are available to enable the paraprofessional to
36.27 continue to further develop the knowledge and skills that are specific to the students with
36.28 whom the paraprofessional works, including understanding disabilities, following lesson
36.29 plans, and implementing follow-up instructional procedures and activities; and

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

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

36.34 Sec. 8. Minnesota Statutes 2013 Supplement, section 125A.0942, subdivision 2,
36.35 is amended to read:

37.1 Subd. 2. **Restrictive procedures.** (a) Restrictive procedures may be used only
37.2 by a licensed special education teacher, school social worker, school psychologist,
37.3 behavior analyst certified by the National Behavior Analyst Certification Board, a person
37.4 with a master's degree in behavior analysis, other licensed education professional,
37.5 paraprofessional under section 120B.363, or mental health professional under section
37.6 245.4871, subdivision 27, who has completed the training program under subdivision 5.

37.7 (b) A school shall make reasonable efforts to notify the parent on the same day a
37.8 restrictive procedure is used on the child, or if the school is unable to provide same-day
37.9 notice, notice is sent within two days by written or electronic means or as otherwise
37.10 indicated by the child's parent under paragraph ~~(d)~~ (f).

37.11 (c) The district must hold a meeting of the individualized education program team,
37.12 conduct or review a functional behavioral analysis, review data, consider developing
37.13 additional or revised positive behavioral interventions and supports, consider actions to
37.14 reduce the use of restrictive procedures, and modify the individualized education program
37.15 or behavior intervention plan as appropriate. The district must hold the meeting: within
37.16 ten calendar days after district staff use restrictive procedures on two separate school
37.17 days within 30 calendar days or a pattern of use emerges and the child's individualized
37.18 education program or behavior intervention plan does not provide for using restrictive
37.19 procedures in an emergency; or at the request of a parent or the district after restrictive
37.20 procedures are used. The district must review use of restrictive procedures at a child's
37.21 annual individualized education program meeting when the child's individualized
37.22 education program provides for using restrictive procedures in an emergency.

37.23 (d) If the individualized education program team under paragraph (c) determines
37.24 that existing interventions and supports are ineffective in reducing the use of restrictive
37.25 procedures or the district uses restrictive procedures on a child on ten or more school days
37.26 during the same school year, the team, as appropriate, either must consult with other
37.27 professionals working with the child; consult with experts in behavior analysis, mental
37.28 health, communication, or autism; consult with culturally competent professionals;
37.29 review existing evaluations, resources, and successful strategies; or consider whether to
37.30 reevaluate the child.

37.31 (e) At the individualized education program meeting under paragraph (c), the team
37.32 must review any known medical or psychological limitations, including any medical
37.33 information the parent provides voluntarily, that contraindicate the use of a restrictive
37.34 procedure, consider whether to prohibit that restrictive procedure, and document any
37.35 prohibition in the individualized education program or behavior intervention plan.

38.1 (f) An individualized education program team may plan for using restrictive
 38.2 procedures and may include these procedures in a child's individualized education
 38.3 program or behavior intervention plan; however, the restrictive procedures may be used
 38.4 only in response to behavior that constitutes an emergency, consistent with this section.
 38.5 The individualized education program or behavior intervention plan shall indicate how the
 38.6 parent wants to be notified when a restrictive procedure is used.

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

38.8 Sec. 9. Minnesota Statutes 2012, section 125A.22, is amended to read:

38.9 **125A.22 COMMUNITY TRANSITION INTERAGENCY COMMITTEE.**

38.10 A district, group of districts, or special education cooperative, in cooperation with
 38.11 the county or counties in which the district or cooperative is located, ~~must~~ may establish
 38.12 a community transition interagency committee for youth with disabilities, beginning at
 38.13 grade 9 or age equivalent, and their families. Members of the committee ~~must consist of~~
 38.14 may include representatives from special education, vocational and regular education,
 38.15 community education, postsecondary education and training institutions, mental health,
 38.16 adults with disabilities who have received transition services if such persons are available,
 38.17 parents of youth with disabilities, local business or industry, rehabilitation services, county
 38.18 social services, health agencies, and additional public or private adult service providers as
 38.19 appropriate. ~~The committee must elect a chair and must meet regularly.~~ The committee
 38.20 ~~must~~ may:

38.21 (1) identify current services, programs, and funding sources provided within
 38.22 the community for secondary and postsecondary aged youth with disabilities and their
 38.23 families that prepare them for further education; employment, including integrated
 38.24 competitive employment; and independent living;

38.25 (2) facilitate the development of multiagency teams to address present and future
 38.26 transition needs of individual students on their individualized education programs;

38.27 (3) develop a community plan to include mission, goals, and objectives, and an
 38.28 implementation plan to assure that transition needs of individuals with disabilities are met;

38.29 (4) recommend changes or improvements in the community system of transition
 38.30 services; and

38.31 (5) exchange agency information such as appropriate data, effectiveness studies,
 38.32 special projects, exemplary programs, and creative funding of programs; ~~and~~.

38.33 (6) ~~following procedures determined by the commissioner, prepare a yearly summary~~
 38.34 ~~assessing the progress of transition services in the community including follow-up of~~

39.1 ~~individuals with disabilities who were provided transition services to determine postschool~~
39.2 ~~outcomes. The summary must be disseminated to all adult services agencies involved in~~
39.3 ~~the planning and to the commissioner by October 1 of each year.~~

39.4 Sec. 10. Minnesota Statutes 2013 Supplement, section 125A.30, is amended to read:

39.5 **125A.30 INTERAGENCY EARLY INTERVENTION COMMITTEES.**

39.6 (a) ~~A school district, group of school districts, or special education cooperative~~
39.7 ~~cooperatives, in cooperation with the health and human service agencies located in~~
39.8 ~~the county or counties in which the district districts or cooperative is cooperatives are~~
39.9 ~~located, must establish an Interagency Early Intervention Committee for children with~~
39.10 ~~disabilities under age five and their families under this section, and for children with~~
39.11 ~~disabilities ages three to 22 consistent with the requirements under sections 125A.023~~
39.12 ~~and 125A.027. Committees must include representatives of local health, education, and~~
39.13 ~~county human service agencies, county boards, school boards, early childhood family~~
39.14 ~~education programs, Head Start, parents of young children with disabilities under age 12,~~
39.15 ~~child care resource and referral agencies, school readiness programs, current service~~
39.16 ~~providers, and agencies that serve families experiencing homelessness, and may also~~
39.17 ~~include representatives from other private or public agencies and school nurses. The~~
39.18 ~~committee must elect a chair from among its members and must meet at least quarterly.~~

39.19 (b) The committee must develop and implement interagency policies and procedures
39.20 concerning the following ongoing duties:

39.21 (1) develop public awareness systems designed to inform potential recipient families,
39.22 especially parents with premature infants, or infants with other physical risk factors
39.23 associated with learning or development complications, of available programs and services;

39.24 (2) to reduce families' need for future services, and especially parents with premature
39.25 infants, or infants with other physical risk factors associated with learning or development
39.26 complications, implement interagency child find systems designed to actively seek out,
39.27 identify, and refer infants and young children with, or at risk of, disabilities, including
39.28 a child under the age of three who: (i) is the subject of a substantiated case of abuse or
39.29 neglect or (ii) is identified as directly affected by illegal substance abuse, or withdrawal
39.30 symptoms resulting from prenatal drug exposure;

39.31 ~~(3) establish and evaluate the identification, referral, screening, evaluation, child-~~
39.32 ~~and family-directed assessment systems, procedural safeguard process, and community~~
39.33 ~~learning systems to recommend, where necessary, alterations and improvements;~~

39.34 ~~(4) assure the development of individualized family service plans for all eligible~~
39.35 ~~infants and toddlers with disabilities from birth through age two, and their families,~~

40.1 ~~and individualized education programs and individual service plans when necessary to~~
 40.2 ~~appropriately serve children with disabilities, age three and older, and their families and~~
 40.3 ~~recommend assignment of financial responsibilities to the appropriate agencies;~~

40.4 ~~(5)~~ (3) implement a process for assuring that services involve cooperating agencies
 40.5 at all steps leading to individualized programs;

40.6 ~~(6)~~ facilitate the development of a transition plan in the individual family service
 40.7 plan by the time a child is two years and nine months old;

40.8 ~~(7)~~ (4) identify the current services and funding being provided within the
 40.9 community for children with disabilities under age five and their families; and

40.10 ~~(8)~~ (5) develop a plan for the allocation and expenditure of federal early intervention
 40.11 funds under United States Code, title 20, section 1471 et seq. (Part C, Public Law 108-446)
 40.12 and United States Code, title 20, section 631, et seq. (Chapter I, Public Law 89-313); and.

40.13 ~~(9)~~ develop a policy that is consistent with section 13.05, subdivision 9, and federal
 40.14 law to enable a member of an interagency early intervention committee to allow another
 40.15 member access to data classified as not public.

40.16 (c) The local committee shall also participate in needs assessments and program
 40.17 planning activities conducted by local social service, health and education agencies for
 40.18 young children with disabilities and their families.

40.19 Sec. 11. Minnesota Statutes 2012, section 127A.065, is amended to read:

40.20 **127A.065 CROSS-SUBSIDY REPORT.**

40.21 By ~~January 10~~ March 30, the commissioner of education shall submit an annual
 40.22 report to the legislative committees having jurisdiction over kindergarten through grade
 40.23 12 education on the amount each district is cross-subsidizing special education costs
 40.24 with general education revenue.

40.25 Sec. 12. Minnesota Statutes 2012, section 260D.06, subdivision 2, is amended to read:

40.26 Subd. 2. **Agency report to court; court review.** The agency shall obtain judicial
 40.27 review by reporting to the court according to the following procedures:

40.28 (a) A written report shall be forwarded to the court within 165 days of the date of the
 40.29 voluntary placement agreement. The written report shall contain or have attached:

40.30 (1) a statement of facts that necessitate the child's foster care placement;

40.31 (2) the child's name, date of birth, race, gender, and current address;

40.32 (3) the names, race, date of birth, residence, and post office addresses of the child's
 40.33 parents or legal custodian;

41.1 (4) a statement regarding the child's eligibility for membership or enrollment in an
41.2 Indian tribe and the agency's compliance with applicable provisions of sections 260.751 to
41.3 260.835;

41.4 (5) the names and addresses of the foster parents or chief administrator of the facility
41.5 in which the child is placed, if the child is not in a family foster home or group home;

41.6 (6) a copy of the out-of-home placement plan required under section 260C.212,
41.7 subdivision 1;

41.8 (7) a written summary of the proceedings of any administrative review required
41.9 under section 260C.203; and

41.10 (8) any other information the agency, parent or legal custodian, the child or the foster
41.11 parent, or other residential facility wants the court to consider.

41.12 (b) In the case of a child in placement due to emotional disturbance, the written
41.13 report shall include as an attachment, the child's individual treatment plan developed by
41.14 the child's treatment professional, as provided in section 245.4871, subdivision 21, or the
41.15 child's ~~individual interagency intervention~~ standard written plan, as provided in section
41.16 125A.023, subdivision 3, paragraph ~~(e)~~ (e).

41.17 (c) In the case of a child in placement due to developmental disability or a related
41.18 condition, the written report shall include as an attachment, the child's individual service
41.19 plan, as provided in section 256B.092, subdivision 1b; the child's individual program plan,
41.20 as provided in Minnesota Rules, part 9525.0004, subpart 11; the child's waiver care plan;
41.21 or the child's ~~individual interagency intervention~~ standard written plan, as provided in
41.22 section 125A.023, subdivision 3, paragraph ~~(e)~~ (e).

41.23 (d) The agency must inform the child, age 12 or older, the child's parent, and the
41.24 foster parent or foster care facility of the reporting and court review requirements of this
41.25 section and of their right to submit information to the court:

41.26 (1) if the child or the child's parent or the foster care provider wants to send
41.27 information to the court, the agency shall advise those persons of the reporting date and the
41.28 date by which the agency must receive the information they want forwarded to the court so
41.29 the agency is timely able submit it with the agency's report required under this subdivision;

41.30 (2) the agency must also inform the child, age 12 or older, the child's parent, and
41.31 the foster care facility that they have the right to be heard in person by the court and
41.32 how to exercise that right;

41.33 (3) the agency must also inform the child, age 12 or older, the child's parent, and
41.34 the foster care provider that an in-court hearing will be held if requested by the child,
41.35 the parent, or the foster care provider; and

42.1 (4) if, at the time required for the report under this section, a child, age 12 or
42.2 older, disagrees about the foster care facility or services provided under the out-of-home
42.3 placement plan required under section 260C.212, subdivision 1, the agency shall include
42.4 information regarding the child's disagreement, and to the extent possible, the basis for the
42.5 child's disagreement in the report required under this section.

42.6 (e) After receiving the required report, the court has jurisdiction to make the
42.7 following determinations and must do so within ten days of receiving the forwarded
42.8 report, whether a hearing is requested:

42.9 (1) whether the voluntary foster care arrangement is in the child's best interests;

42.10 (2) whether the parent and agency are appropriately planning for the child; and

42.11 (3) in the case of a child age 12 or older, who disagrees with the foster care facility
42.12 or services provided under the out-of-home placement plan, whether it is appropriate to
42.13 appoint counsel and a guardian ad litem for the child using standards and procedures
42.14 under section 260C.163.

42.15 (f) Unless requested by a parent, representative of the foster care facility, or the
42.16 child, no in-court hearing is required in order for the court to make findings and issue an
42.17 order as required in paragraph (e).

42.18 (g) If the court finds the voluntary foster care arrangement is in the child's best
42.19 interests and that the agency and parent are appropriately planning for the child, the
42.20 court shall issue an order containing explicit, individualized findings to support its
42.21 determination. The individualized findings shall be based on the agency's written report
42.22 and other materials submitted to the court. The court may make this determination
42.23 notwithstanding the child's disagreement, if any, reported under paragraph (d).

42.24 (h) The court shall send a copy of the order to the county attorney, the agency,
42.25 parent, child, age 12 or older, and the foster parent or foster care facility.

42.26 (i) The court shall also send the parent, the child, age 12 or older, the foster parent, or
42.27 representative of the foster care facility notice of the permanency review hearing required
42.28 under section 260D.07, paragraph (e).

42.29 (j) If the court finds continuing the voluntary foster care arrangement is not in the
42.30 child's best interests or that the agency or the parent are not appropriately planning for the
42.31 child, the court shall notify the agency, the parent, the foster parent or foster care facility,
42.32 the child, age 12 or older, and the county attorney of the court's determinations and the
42.33 basis for the court's determinations. In this case, the court shall set the matter for hearing
42.34 and appoint a guardian ad litem for the child under section 260C.163, subdivision 5.

43.1 Sec. 13. Minnesota Statutes 2013 Supplement, section 626.556, subdivision 2, is
43.2 amended to read:

43.3 Subd. 2. **Definitions.** As used in this section, the following terms have the meanings
43.4 given them unless the specific content indicates otherwise:

43.5 (a) "Family assessment" means a comprehensive assessment of child safety, risk
43.6 of subsequent child maltreatment, and family strengths and needs that is applied to a
43.7 child maltreatment report that does not allege substantial child endangerment. Family
43.8 assessment does not include a determination as to whether child maltreatment occurred
43.9 but does determine the need for services to address the safety of family members and the
43.10 risk of subsequent maltreatment.

43.11 (b) "Investigation" means fact gathering related to the current safety of a child
43.12 and the risk of subsequent maltreatment that determines whether child maltreatment
43.13 occurred and whether child protective services are needed. An investigation must be used
43.14 when reports involve substantial child endangerment, and for reports of maltreatment in
43.15 facilities required to be licensed under chapter 245A or 245B; under sections 144.50 to
43.16 144.58 and 241.021; in a school as defined in sections 120A.05, subdivisions 9, 11, and
43.17 13, and 124D.10; or in a nonlicensed personal care provider association as defined in
43.18 sections 256B.04, subdivision 16, and 256B.0625, subdivision 19a.

43.19 (c) "Substantial child endangerment" means a person responsible for a child's care,
43.20 and in the case of sexual abuse includes a person who has a significant relationship to the
43.21 child as defined in section 609.341, or a person in a position of authority as defined in
43.22 section 609.341, who by act or omission commits or attempts to commit an act against a
43.23 child under their care that constitutes any of the following:

43.24 (1) egregious harm as defined in section 260C.007, subdivision 14;

43.25 (2) sexual abuse as defined in paragraph (d);

43.26 (3) abandonment under section 260C.301, subdivision 2;

43.27 (4) neglect as defined in paragraph (f), clause (2), that substantially endangers the
43.28 child's physical or mental health, including a growth delay, which may be referred to as
43.29 failure to thrive, that has been diagnosed by a physician and is due to parental neglect;

43.30 (5) murder in the first, second, or third degree under section 609.185, 609.19, or
43.31 609.195;

43.32 (6) manslaughter in the first or second degree under section 609.20 or 609.205;

43.33 (7) assault in the first, second, or third degree under section 609.221, 609.222, or
43.34 609.223;

43.35 (8) solicitation, inducement, and promotion of prostitution under section 609.322;

43.36 (9) criminal sexual conduct under sections 609.342 to 609.3451;

44.1 (10) solicitation of children to engage in sexual conduct under section 609.352;

44.2 (11) malicious punishment or neglect or endangerment of a child under section
44.3 609.377 or 609.378;

44.4 (12) use of a minor in sexual performance under section 617.246; or

44.5 (13) parental behavior, status, or condition which mandates that the county attorney
44.6 file a termination of parental rights petition under section 260C.503, subdivision 2.

44.7 (d) "Sexual abuse" means the subjection of a child by a person responsible for the
44.8 child's care, by a person who has a significant relationship to the child, as defined in
44.9 section 609.341, or by a person in a position of authority, as defined in section 609.341,
44.10 subdivision 10, to any act which constitutes a violation of section 609.342 (criminal sexual
44.11 conduct in the first degree), 609.343 (criminal sexual conduct in the second degree),
44.12 609.344 (criminal sexual conduct in the third degree), 609.345 (criminal sexual conduct
44.13 in the fourth degree), or 609.3451 (criminal sexual conduct in the fifth degree). Sexual
44.14 abuse also includes any act which involves a minor which constitutes a violation of
44.15 prostitution offenses under sections 609.321 to 609.324 or 617.246. Sexual abuse includes
44.16 threatened sexual abuse which includes the status of a parent or household member
44.17 who has committed a violation which requires registration as an offender under section
44.18 243.166, subdivision 1b, paragraph (a) or (b), or required registration under section
44.19 243.166, subdivision 1b, paragraph (a) or (b).

44.20 (e) "Person responsible for the child's care" means (1) an individual functioning
44.21 within the family unit and having responsibilities for the care of the child such as a
44.22 parent, guardian, or other person having similar care responsibilities, or (2) an individual
44.23 functioning outside the family unit and having responsibilities for the care of the child
44.24 such as a teacher, school administrator, other school employees or agents, or other lawful
44.25 custodian of a child having either full-time or short-term care responsibilities including,
44.26 but not limited to, day care, babysitting whether paid or unpaid, counseling, teaching,
44.27 and coaching.

44.28 (f) "Neglect" means the commission or omission of any of the acts specified under
44.29 clauses (1) to (9), other than by accidental means:

44.30 (1) failure by a person responsible for a child's care to supply a child with necessary
44.31 food, clothing, shelter, health, medical, or other care required for the child's physical or
44.32 mental health when reasonably able to do so;

44.33 (2) failure to protect a child from conditions or actions that seriously endanger the
44.34 child's physical or mental health when reasonably able to do so, including a growth delay,
44.35 which may be referred to as a failure to thrive, that has been diagnosed by a physician and
44.36 is due to parental neglect;

45.1 (3) failure to provide for necessary supervision or child care arrangements
45.2 appropriate for a child after considering factors as the child's age, mental ability, physical
45.3 condition, length of absence, or environment, when the child is unable to care for the
45.4 child's own basic needs or safety, or the basic needs or safety of another child in their care;

45.5 (4) failure to ensure that the child is educated as defined in sections 120A.22 and
45.6 260C.163, subdivision 11, which does not include a parent's refusal to provide the parent's
45.7 child with sympathomimetic medications, consistent with section 125A.091, subdivision 5;

45.8 (5) nothing in this section shall be construed to mean that a child is neglected solely
45.9 because the child's parent, guardian, or other person responsible for the child's care in
45.10 good faith selects and depends upon spiritual means or prayer for treatment or care of
45.11 disease or remedial care of the child in lieu of medical care; except that a parent, guardian,
45.12 or caretaker, or a person mandated to report pursuant to subdivision 3, has a duty to report
45.13 if a lack of medical care may cause serious danger to the child's health. This section does
45.14 not impose upon persons, not otherwise legally responsible for providing a child with
45.15 necessary food, clothing, shelter, education, or medical care, a duty to provide that care;

45.16 (6) prenatal exposure to a controlled substance, as defined in section 253B.02,
45.17 subdivision 2, used by the mother for a nonmedical purpose, as evidenced by withdrawal
45.18 symptoms in the child at birth, results of a toxicology test performed on the mother at
45.19 delivery or the child at birth, medical effects or developmental delays during the child's
45.20 first year of life that medically indicate prenatal exposure to a controlled substance, or the
45.21 presence of a fetal alcohol spectrum disorder;

45.22 (7) "medical neglect" as defined in section 260C.007, subdivision 6, clause (5);

45.23 (8) chronic and severe use of alcohol or a controlled substance by a parent or
45.24 person responsible for the care of the child that adversely affects the child's basic needs
45.25 and safety; or

45.26 (9) emotional harm from a pattern of behavior which contributes to impaired
45.27 emotional functioning of the child which may be demonstrated by a substantial and
45.28 observable effect in the child's behavior, emotional response, or cognition that is not
45.29 within the normal range for the child's age and stage of development, with due regard to
45.30 the child's culture.

45.31 (g) "Physical abuse" means any physical injury, mental injury, or threatened injury,
45.32 inflicted by a person responsible for the child's care on a child other than by accidental
45.33 means, or any physical or mental injury that cannot reasonably be explained by the child's
45.34 history of injuries, or any aversive or deprivation procedures, or regulated interventions,
45.35 that have not been authorized under section ~~121A.67~~ 125A.0942 or 245.825.

46.1 Abuse does not include reasonable and moderate physical discipline of a child
46.2 administered by a parent or legal guardian which does not result in an injury. Abuse does
46.3 not include the use of reasonable force by a teacher, principal, or school employee as
46.4 allowed by section 121A.582. Actions which are not reasonable and moderate include,
46.5 but are not limited to, any of the following that are done in anger or without regard to the
46.6 safety of the child:

46.7 (1) throwing, kicking, burning, biting, or cutting a child;

46.8 (2) striking a child with a closed fist;

46.9 (3) shaking a child under age three;

46.10 (4) striking or other actions which result in any nonaccidental injury to a child
46.11 under 18 months of age;

46.12 (5) unreasonable interference with a child's breathing;

46.13 (6) threatening a child with a weapon, as defined in section 609.02, subdivision 6;

46.14 (7) striking a child under age one on the face or head;

46.15 (8) purposely giving a child poison, alcohol, or dangerous, harmful, or controlled
46.16 substances which were not prescribed for the child by a practitioner, in order to control or
46.17 punish the child; or other substances that substantially affect the child's behavior, motor
46.18 coordination, or judgment or that results in sickness or internal injury, or subjects the
46.19 child to medical procedures that would be unnecessary if the child were not exposed
46.20 to the substances;

46.21 (9) unreasonable physical confinement or restraint not permitted under section
46.22 609.379, including but not limited to tying, caging, or chaining; or

46.23 (10) in a school facility or school zone, an act by a person responsible for the child's
46.24 care that is a violation under section 121A.58.

46.25 (h) "Report" means any report received by the local welfare agency, police
46.26 department, county sheriff, or agency responsible for assessing or investigating
46.27 maltreatment pursuant to this section.

46.28 (i) "Facility" means:

46.29 (1) a licensed or unlicensed day care facility, residential facility, agency, hospital,
46.30 sanitarium, or other facility or institution required to be licensed under sections 144.50 to
46.31 144.58, 241.021, or 245A.01 to 245A.16, or chapter 245D;

46.32 (2) a school as defined in sections 120A.05, subdivisions 9, 11, and 13; and
46.33 124D.10; or

46.34 (3) a nonlicensed personal care provider organization as defined in sections 256B.04,
46.35 subdivision 16, and 256B.0625, subdivision 19a.

46.36 (j) "Operator" means an operator or agency as defined in section 245A.02.

47.1 (k) "Commissioner" means the commissioner of human services.

47.2 (l) "Practice of social services," for the purposes of subdivision 3, includes but is
47.3 not limited to employee assistance counseling and the provision of guardian ad litem and
47.4 parenting time expeditor services.

47.5 (m) "Mental injury" means an injury to the psychological capacity or emotional
47.6 stability of a child as evidenced by an observable or substantial impairment in the child's
47.7 ability to function within a normal range of performance and behavior with due regard to
47.8 the child's culture.

47.9 (n) "Threatened injury" means a statement, overt act, condition, or status that
47.10 represents a substantial risk of physical or sexual abuse or mental injury. Threatened
47.11 injury includes, but is not limited to, exposing a child to a person responsible for the
47.12 child's care, as defined in paragraph (e), clause (1), who has:

47.13 (1) subjected a child to, or failed to protect a child from, an overt act or condition
47.14 that constitutes egregious harm, as defined in section 260C.007, subdivision 14, or a
47.15 similar law of another jurisdiction;

47.16 (2) been found to be palpably unfit under section 260C.301, subdivision 1, paragraph
47.17 (b), clause (4), or a similar law of another jurisdiction;

47.18 (3) committed an act that has resulted in an involuntary termination of parental rights
47.19 under section 260C.301, or a similar law of another jurisdiction; or

47.20 (4) committed an act that has resulted in the involuntary transfer of permanent
47.21 legal and physical custody of a child to a relative under Minnesota Statutes 2010, section
47.22 260C.201, subdivision 11, paragraph (d), clause (1), section 260C.515, subdivision 4, or a
47.23 similar law of another jurisdiction.

47.24 A child is the subject of a report of threatened injury when the responsible social
47.25 services agency receives birth match data under paragraph (o) from the Department of
47.26 Human Services.

47.27 (o) Upon receiving data under section 144.225, subdivision 2b, contained in a
47.28 birth record or recognition of parentage identifying a child who is subject to threatened
47.29 injury under paragraph (n), the Department of Human Services shall send the data to the
47.30 responsible social services agency. The data is known as "birth match" data. Unless the
47.31 responsible social services agency has already begun an investigation or assessment of the
47.32 report due to the birth of the child or execution of the recognition of parentage and the
47.33 parent's previous history with child protection, the agency shall accept the birth match
47.34 data as a report under this section. The agency may use either a family assessment or
47.35 investigation to determine whether the child is safe. All of the provisions of this section
47.36 apply. If the child is determined to be safe, the agency shall consult with the county

48.1 attorney to determine the appropriateness of filing a petition alleging the child is in need
48.2 of protection or services under section 260C.007, subdivision 6, clause (16), in order to
48.3 deliver needed services. If the child is determined not to be safe, the agency and the county
48.4 attorney shall take appropriate action as required under section 260C.503, subdivision 2.

48.5 (p) Persons who conduct assessments or investigations under this section shall take
48.6 into account accepted child-rearing practices of the culture in which a child participates
48.7 and accepted teacher discipline practices, which are not injurious to the child's health,
48.8 welfare, and safety.

48.9 (q) "Accidental" means a sudden, not reasonably foreseeable, and unexpected
48.10 occurrence or event which:

48.11 (1) is not likely to occur and could not have been prevented by exercise of due
48.12 care; and

48.13 (2) if occurring while a child is receiving services from a facility, happens when the
48.14 facility and the employee or person providing services in the facility are in compliance
48.15 with the laws and rules relevant to the occurrence or event.

48.16 (r) "Nonmaltreatment mistake" means:

48.17 (1) at the time of the incident, the individual was performing duties identified in the
48.18 center's child care program plan required under Minnesota Rules, part 9503.0045;

48.19 (2) the individual has not been determined responsible for a similar incident that
48.20 resulted in a finding of maltreatment for at least seven years;

48.21 (3) the individual has not been determined to have committed a similar
48.22 nonmaltreatment mistake under this paragraph for at least four years;

48.23 (4) any injury to a child resulting from the incident, if treated, is treated only with
48.24 remedies that are available over the counter, whether ordered by a medical professional or
48.25 not; and

48.26 (5) except for the period when the incident occurred, the facility and the individual
48.27 providing services were both in compliance with all licensing requirements relevant to the
48.28 incident.

48.29 This definition only applies to child care centers licensed under Minnesota
48.30 Rules, chapter 9503. If clauses (1) to (5) apply, rather than making a determination of
48.31 substantiated maltreatment by the individual, the commissioner of human services shall
48.32 determine that a nonmaltreatment mistake was made by the individual.

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

48.34 Sec. 14. **RULEMAKING AUTHORITY; SPECIAL EDUCATION TASK FORCE**
48.35 **RECOMMENDATIONS.**

49.1 The commissioner of education must use the expedited rulemaking process under
49.2 Minnesota Statutes, section 14.389, to make the rule changes recommended by the
49.3 Special Education Case Load and Rule Alignment Task Force in its 2014 report entitled
49.4 "Recommendations for Special Education Case Load and Rule Alignment" submitted
49.5 to the legislature on February 15, 2014.

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

49.7 Sec. 15. **REPEALER.**

49.8 Minnesota Statutes 2012, section 125A.027, subdivision 3, is repealed.

49.9 **ARTICLE 4**

49.10 **NUTRITION**

49.11 Section 1. Minnesota Statutes 2012, section 124D.111, subdivision 3, is amended to
49.12 read:

49.13 Subd. 3. **School food service fund.** (a) The expenses described in this subdivision
49.14 must be recorded as provided in this subdivision.

49.15 (b) In each district, the expenses for a school food service program for pupils must
49.16 be attributed to a school food service fund. Under a food service program, the school
49.17 food service may prepare or serve milk, meals, or snacks in connection with school or
49.18 community service activities.

49.19 (c) Revenues and expenditures for food service activities must be recorded in the
49.20 food service fund. The costs of processing applications, accounting for meals, preparing
49.21 and serving food, providing kitchen custodial services, and other expenses involving the
49.22 preparing of meals or the kitchen section of the lunchroom may be charged to the food
49.23 service fund or to the general fund of the district. The costs of lunchroom supervision,
49.24 lunchroom custodial services, lunchroom utilities, and other administrative costs of the
49.25 food service program must be charged to the general fund.

49.26 That portion of superintendent and fiscal manager costs that can be documented as
49.27 attributable to the food service program may be charged to the food service fund provided
49.28 that the school district does not employ or contract with a food service director or other
49.29 individual who manages the food service program, or food service management company.
49.30 If the cost of the superintendent or fiscal manager is charged to the food service fund,
49.31 the charge must be at a wage rate not to exceed the statewide average for food service
49.32 directors as determined by the department.

50.1 (d) Capital expenditures for the purchase of food service equipment must be made
50.2 from the general fund and not the food service fund, unless the ~~unreserved~~ restricted
50.3 balance in the food service fund at the end of the last fiscal year is greater than the cost of
50.4 the equipment to be purchased.

50.5 (e) If the condition set out in paragraph (d) applies, the equipment may be purchased
50.6 from the food service fund.

50.7 (f) If a deficit in the food service fund exists at the end of a fiscal year, and the deficit
50.8 is not eliminated by revenues from food service operations in the next fiscal year, then the
50.9 deficit must be eliminated by a permanent fund transfer from the general fund at the end of
50.10 that second fiscal year. However, if a district contracts with a food service management
50.11 company during the period in which the deficit has accrued, the deficit must be eliminated
50.12 by a payment from the food service management company.

50.13 (g) Notwithstanding paragraph (f), a district may incur a deficit in the food service
50.14 fund for up to three years without making the permanent transfer if the district submits
50.15 to the commissioner by January 1 of the second fiscal year a plan for eliminating that
50.16 deficit at the end of the third fiscal year.

50.17 (h) If a surplus in the food service fund exists at the end of a fiscal year for three
50.18 successive years, a district may recode for that fiscal year the costs of lunchroom
50.19 supervision, lunchroom custodial services, lunchroom utilities, and other administrative
50.20 costs of the food service program charged to the general fund according to paragraph (c)
50.21 and charge those costs to the food service fund in a total amount not to exceed the amount
50.22 of surplus in the food service fund.

50.23 **Sec. 2. [124D.1191] DONATIONS TO FOOD SHELF PROGRAMS.**

50.24 Schools and community organizations participating in any federal child nutrition
50.25 meal program may donate unused food to food shelf programs, provided that the food shelf:

50.26 (1) is a nonprofit corporation or is affiliated with a nonprofit corporation, as defined
50.27 in section 501(c)(3) of the Internal Revenue Code of 1986;

50.28 (2) distributes food without charge to needy individuals;

50.29 (3) does not limit food distributions to individuals of a particular religious affiliation,
50.30 race, or other criteria unrelated to need; and

50.31 (4) has a stable address and directly serves individuals.

ARTICLE 5

EARLY CHILDHOOD EDUCATION, SELF-SUFFICIENCY, AND
LIFELONG LEARNING51.1
51.2
51.3

51.4 Section 1. Minnesota Statutes 2012, section 123A.06, subdivision 2, is amended to read:

51.5 Subd. 2. **People to be served.** A state-approved alternative program shall provide
51.6 programs for secondary pupils ~~and adults~~. A center may also provide programs and
51.7 services for elementary and secondary pupils who are not attending the state-approved
51.8 alternative program to assist them in being successful in school. A center shall use
51.9 research-based best practices for serving English learners and their parents. An
51.10 individualized education program team may identify a state-approved alternative program
51.11 as an appropriate placement to the extent a state-approved alternative program can provide
51.12 the student with the appropriate special education services described in the student's plan.
51.13 Pupils eligible to be served are those who qualify under the graduation incentives program
51.14 in section 124D.68, subdivision 2, those enrolled under section 124D.02, subdivision
51.15 2, or those pupils who are eligible to receive special education services under sections
51.16 125A.03 to 125A.24, and 125A.65.

51.17 Sec. 2. Minnesota Statutes 2013 Supplement, section 124D.165, subdivision 2, is
51.18 amended to read:

51.19 Subd. 2. **Family eligibility.** (a) For a family to receive an early ~~childhood education~~
51.20 learning scholarship, parents or guardians must meet the following eligibility requirements:

51.21 (1) have a child three or four years of age on September 1 of the current school year,
51.22 who has not yet started kindergarten; and

51.23 (2) have income equal to or less than 185 percent of federal poverty level income
51.24 in the current calendar year, or be able to document their child's current participation in
51.25 the free and reduced-price lunch program or child and adult care food program, National
51.26 School Lunch Act, United States Code, title 42, sections 1751 and 1766; the Food
51.27 Distribution Program on Indian Reservations, Food and Nutrition Act, United States
51.28 Code, title 7, sections 2011-2036; Head Start under the federal Improving Head Start for
51.29 School Readiness Act of 2007; Minnesota family investment program under chapter 256J;
51.30 child care assistance programs under chapter 119B; the supplemental nutrition assistance
51.31 program; or placement in foster care under section 260C.212.

51.32 (b) Notwithstanding the other provisions of this section, a parent under age 21 who
51.33 is pursuing a high school or general education equivalency diploma is eligible for an early

52.1 learning scholarship if the parent has a child age zero to five years old and meets the
52.2 income eligibility guidelines in this subdivision.

52.3 (c) Any siblings between the ages zero to five years old of a child who has been
52.4 awarded a scholarship under this section must be awarded a scholarship upon request,
52.5 provided the sibling attends the same program as long as funds are available.

52.6 (d) A child who has received a scholarship under this section must continue to
52.7 receive a scholarship each year until that child is eligible for kindergarten under section
52.8 120A.20 and as long as funds are available.

52.9 (e) Early learning scholarships may not be counted as earned income for the
52.10 purposes of medical assistance under chapter 256B, MinnesotaCare under chapter 256L,
52.11 Minnesota family investment program under chapter 256J, child care assistance programs
52.12 under chapter 119B, or Head Start under the federal Improving Head Start for School
52.13 Readiness Act of 2007.

52.14 Sec. 3. Minnesota Statutes 2013 Supplement, section 124D.165, subdivision 4, is
52.15 amended to read:

52.16 Subd. 4. **Early childhood program eligibility.** (a) In order to be eligible to accept
52.17 an early ~~childhood education~~ learning scholarship, a program must:

52.18 (1) participate in the quality rating and improvement system under section
52.19 124D.142; and

52.20 (2) beginning July 1, 2016, have a three- or four-star rating in the quality rating
52.21 and improvement system.

52.22 (b) Any program accepting scholarships must use the revenue to supplement and not
52.23 supplant federal funding.

52.24 Sec. 4. Minnesota Statutes 2013 Supplement, section 124D.165, subdivision 5, is
52.25 amended to read:

52.26 Subd. 5. **Report required.** The commissioner shall contract with an independent
52.27 contractor to evaluate the early learning scholarship program. The evaluation must
52.28 include recommendations regarding the appropriate scholarship amount, efficiency, and
52.29 effectiveness of the administration, and impact on kindergarten readiness and student
52.30 outcomes by program setting, including Head Start programs, school-based prekindergarten
52.31 and preschool programs, and other early education and child care programs. The report
52.32 must also include the number of scholarship recipients in school-based, home-based,
52.33 and center-based programs as well as a geographic summary of scholarship recipients
52.34 by county. By January 15, 2016, the commissioner shall submit a written copy of the

53.1 evaluation to the chairs and ranking minority members of the legislative committees and
53.2 divisions with primary jurisdiction over kindergarten through grade 12 education.

53.3 **ARTICLE 6**

53.4 **LIBRARIES**

53.5 Section 1. Minnesota Statutes 2012, section 134.355, subdivision 8, is amended to read:

53.6 Subd. 8. **Eligibility.** A regional public library system may apply for regional library
53.7 telecommunications aid. The aid must be used for data and video access maintenance,
53.8 equipment, or installation of telecommunication lines. To be eligible, a regional public
53.9 library system must be officially designated by the commissioner of education as a
53.10 regional public library system as defined in section 134.34, subdivision 3, and each of its
53.11 participating cities and counties must meet local support levels defined in section 134.34,
53.12 subdivision 1. A public library building that receives aid under this section must be open a
53.13 minimum of 20 hours per week. Exceptions to the minimum open hours requirement may
53.14 be granted by the Department of Education on request of the regional public library system
53.15 for the following circumstances: short-term closing for emergency maintenance and
53.16 repairs following a natural disaster; in response to exceptional economic circumstances;
53.17 building repair or maintenance that requires public services areas to be closed; or to adjust
53.18 hours of public service to respond to documented seasonal use patterns.

53.19 **ARTICLE 7**

53.20 **ENGLISH LEARNERS**

53.21 Section 1. Minnesota Statutes 2012, section 119A.50, subdivision 3, is amended to read:

53.22 Subd. 3. **Early childhood literacy programs.** (a) A research-based early childhood
53.23 literacy program premised on actively involved parents, ongoing professional staff
53.24 development, and high quality early literacy program standards is established to increase
53.25 the literacy skills of children participating in Head Start to prepare them to be successful
53.26 readers and to increase families' participation in providing early literacy experiences to
53.27 their children. Program providers must:

53.28 (1) work to prepare children to be successful learners;

53.29 (2) work to close the achievement gap for at-risk children;

53.30 (3) use ~~an~~ a culturally relevant integrated approach to early literacy that daily offers
53.31 a literacy-rich classroom learning environment composed of books, writing materials,
53.32 writing centers, labels, rhyming, and other related literacy materials and opportunities;

54.1 (4) support children's home language while helping the children master English and
54.2 use multiple literacy strategies to provide a cultural bridge between home and school;

54.3 (5) use literacy mentors, ongoing literacy groups, and other teachers and staff to
54.4 provide appropriate, extensive professional development opportunities in early literacy
54.5 and classroom strategies for preschool teachers and other preschool staff;

54.6 (6) use ongoing data-based assessments that enable preschool teachers to understand,
54.7 plan, and implement literacy strategies, activities, and curriculum that meet children's
54.8 literacy needs and continuously improve children's literacy; ~~and~~

54.9 (7) foster participation by parents, community stakeholders, literacy advisors, and
54.10 evaluation specialists; and

54.11 (8) provide parents of English learners with oral and written information to monitor
54.12 the program's impact on their children's English language development, to know whether
54.13 their children are progressing in developing their English proficiency and, where
54.14 practicable, their native language proficiency, and to actively engage with their children in
54.15 developing their English and native language proficiency.

54.16 Program providers are encouraged to collaborate with qualified, community-based
54.17 early childhood providers in implementing this program and to seek nonstate funds to
54.18 supplement the program.

54.19 (b) Program providers under paragraph (a) interested in extending literacy programs
54.20 to children in kindergarten through grade 3 may elect to form a partnership with an
54.21 eligible organization under section 124D.38, subdivision 2, or 124D.42, subdivision 6,
54.22 clause (3), schools enrolling children in kindergarten through grade 3, and other interested
54.23 and qualified community-based entities to provide ongoing literacy programs that offer
54.24 seamless literacy instruction focused on closing the literacy achievement gap. To close the
54.25 literacy achievement gap by the end of third grade, partnership members must agree to use
54.26 best efforts and practices and to work collaboratively to implement a seamless literacy
54.27 model from age three to grade 3, consistent with paragraph (a). Literacy programs under
54.28 this paragraph must collect and use literacy data to:

54.29 (1) evaluate children's literacy skills; ~~and~~

54.30 (2) monitor the progress and provide reading instruction appropriate to the specific
54.31 needs of English learners; and

54.32 (3) formulate specific intervention strategies to provide reading instruction to
54.33 children premised on the outcomes of formative and summative assessments and
54.34 research-based indicators of literacy development.

54.35 The literacy programs under this paragraph also must train teachers and other
54.36 providers working with children to use the assessment outcomes under clause (2) to

55.1 develop and use effective, long-term literacy coaching models that are specific to the
55.2 program providers.

55.3 Sec. 2. Minnesota Statutes 2013 Supplement, section 120B.11, is amended to read:

55.4 **120B.11 SCHOOL DISTRICT PROCESS FOR REVIEWING CURRICULUM,**
55.5 **INSTRUCTION, AND STUDENT ACHIEVEMENT; STRIVING FOR THE**
55.6 **WORLD'S BEST WORKFORCE.**

55.7 Subdivision 1. **Definitions.** For the purposes of this section and section 120B.10,
55.8 the following terms have the meanings given them.

55.9 (a) "Instruction" means methods of providing learning experiences that enable a
55.10 student students to meet state and district academic standards and graduation requirements,
55.11 including providing English learners with appropriate, full, effective, and meaningful
55.12 access to regular classroom instruction in core curriculum.

55.13 (b) "Curriculum" means district or school adopted programs and written plans for
55.14 providing students with learning experiences that lead to expected knowledge and skills
55.15 and career and college readiness.

55.16 (c) "World's best workforce" means striving to: meet school readiness goals; have
55.17 all third grade students achieve grade-level literacy; close the academic achievement gap
55.18 among all racial and ethnic groups of students and between students living in poverty and
55.19 students not living in poverty; ensure all English learners have the appropriate English
55.20 learner instruction and content area support to achieve academic language proficiency,
55.21 including oral academic language proficiency, in English and are taught the same state
55.22 and local academic standards as native English-speaking students; have all students attain
55.23 career and college readiness before graduating from high school; and have all students
55.24 graduate from high school.

55.25 (d) "Cultural competence," "cultural competency," or "culturally competent"
55.26 means the ability and will to interact effectively with people of different cultures, native
55.27 languages, and socioeconomic backgrounds.

55.28 Subd. 1a. **Performance measures.** (a) Measures to determine school district and
55.29 school site progress in striving to create the world's best workforce must include at least:

55.30 (1) student performance on the National ~~Association~~ Assessment of Education
55.31 Progress;

55.32 (2) the size of the academic achievement gap and rigorous course taking and
55.33 enrichment experiences by student subgroup;

55.34 (3) student performance on the Minnesota Comprehensive Assessments;

55.35 (4) high school graduation rates; ~~and~~

56.1 (5) career and college readiness under section 120B.30, subdivision 1; and
56.2 (6) the English language development and academic progress, including the oral
56.3 academic development, of English learners and their native language development if the
56.4 native language is used as a language of instruction.

56.5 (b) When administering formative or summative assessments used to measure
56.6 the academic progress, including the oral academic development, of English learners
56.7 and inform their instruction, schools must ensure that the assessments are accessible to
56.8 the students and students have the modifications and supports they need to sufficiently
56.9 understand the assessments.

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

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

56.16 (2) a process for assessing and evaluating each student's progress toward meeting state
56.17 and local academic standards and identifying the strengths and weaknesses of instruction
56.18 in pursuit of student and school success and curriculum affecting students' progress and
56.19 growth toward career and college readiness and leading to the world's best workforce;

56.20 (3) a system to periodically review and evaluate the effectiveness of all instruction
56.21 and curriculum, taking into account strategies and best practices, student outcomes, school
56.22 principal evaluations under section 123B.147, subdivision 3, and teacher evaluations
56.23 under section 122A.40, subdivision 8, or 122A.41, subdivision 5;

56.24 (4) strategies for improving instruction, curriculum, and student achievement,
56.25 including the English and, where practicable, the native language development and the
56.26 academic achievement of English learners;

56.27 (5) education effectiveness practices that integrate high-quality instruction, rigorous
56.28 curriculum, technology, and a collaborative professional culture that develops and
56.29 supports teacher quality, performance, and effectiveness; and

56.30 (6) an annual budget for continuing to implement the district plan.

56.31 Subd. 3. **District advisory committee.** Each school board shall establish an
56.32 advisory committee to ensure active community participation in all phases of planning and
56.33 improving the instruction and curriculum affecting state and district academic standards,
56.34 consistent with subdivision 2. A district advisory committee, to the extent possible,
56.35 shall reflect the diversity of the district and its school sites, ~~and shall~~ include teachers,
56.36 parents, support staff, students, and other community residents, and provide translation

57.1 to the extent appropriate and practicable. The district advisory committee shall pursue
57.2 community support to accelerate the academic and native literacy and achievement of
57.3 English learners with varied needs, from young children to adults, consistent with section
57.4 124D.59, subdivisions 2 and 2a. The district may establish site teams as subcommittees
57.5 of the district advisory committee under subdivision 4. The district advisory committee
57.6 shall recommend to the school board rigorous academic standards, student achievement
57.7 goals and measures consistent with subdivision 1a and sections 120B.022, subdivision
57.8 1, paragraphs (b) and (c), and 120B.35, district assessments, and program evaluations.
57.9 School sites may expand upon district evaluations of instruction, curriculum, assessments,
57.10 or programs. Whenever possible, parents and other community residents shall comprise at
57.11 least two-thirds of advisory committee members.

57.12 Subd. 4. **Site team.** A school may establish a site team to develop and implement
57.13 strategies and education effectiveness practices to improve instruction, curriculum,
57.14 cultural competencies, including cultural awareness and cross-cultural communication,
57.15 and student achievement at the school site, consistent with subdivision 2. The team advises
57.16 the board and the advisory committee about developing the annual budget and revising an
57.17 instruction and curriculum improvement plan that aligns curriculum, assessment of student
57.18 progress, and growth in meeting state and district academic standards and instruction.

57.19 Subd. 5. **Report.** Consistent with requirements for school performance reports
57.20 under section 120B.36, subdivision 1, the school board shall publish a report in the local
57.21 newspaper with the largest circulation in the district, by mail, or by electronic means on
57.22 the district Web site. The school board shall hold an annual public meeting to review,
57.23 and revise where appropriate, student achievement goals, local assessment outcomes,
57.24 plans, strategies, and practices for improving curriculum and instruction and cultural
57.25 responsiveness, including cultural awareness and cross-cultural communication, and to
57.26 review district success in realizing the previously adopted student achievement goals and
57.27 related benchmarks and the improvement plans leading to the world's best workforce. The
57.28 school board must transmit an electronic summary of its report to the commissioner in the
57.29 form and manner the commissioner determines.

57.30 Subd. 7. **Periodic report.** Each school district shall periodically survey affected
57.31 constituencies, in their native languages where appropriate, about their connection to and
57.32 level of satisfaction with school. The district shall include the results of this evaluation in
57.33 the summary report required under subdivision 5.

57.34 Subd. 9. **Annual evaluation.** (a) The commissioner must identify effective
57.35 strategies, practices, and use of resources by districts and school sites in striving for the

58.1 world's best workforce. The commissioner must assist districts and sites throughout the
58.2 state in implementing these effective strategies, practices, and use of resources.

58.3 (b) The commissioner must identify those districts in any consecutive three-year
58.4 period not making sufficient progress toward improving teaching and learning for all
58.5 students, including English learners with varied needs, consistent with section 124D.59,
58.6 subdivisions 2 and 2a, and striving for the world's best workforce. The commissioner, in
58.7 collaboration with the identified district, may require the district to use up to two percent
58.8 of its basic general education revenue per fiscal year during the proximate three school
58.9 years to implement commissioner-specified strategies and practices, consistent with
58.10 paragraph (a), to improve and accelerate its progress in realizing its goals under this
58.11 section. In implementing this section, the commissioner must consider districts' budget
58.12 constraints and legal obligations.

58.13 Sec. 3. Minnesota Statutes 2013 Supplement, section 120B.115, is amended to read:

58.14 **120B.115 REGIONAL CENTERS OF EXCELLENCE.**

58.15 (a) Regional centers of excellence are established to assist and support school
58.16 boards, school districts, school sites, and charter schools in implementing research-based
58.17 interventions and practices to increase the students' achievement within a region.
58.18 The centers must develop partnerships with local and regional service cooperatives,
58.19 postsecondary institutions, integrated school districts, the department, children's mental
58.20 health providers, or other local or regional entities interested in providing a cohesive
58.21 and consistent regional delivery system that serves all schools equitably. Centers must
58.22 assist school districts, school sites, and charter schools in developing similar partnerships.
58.23 Center support may include assisting school districts, school sites, and charter schools
58.24 with common principles of effective practice, including:

58.25 (1) defining measurable education goals under section 120B.11, subdivision 2;

58.26 (2) implementing evidence-based practices;

58.27 (3) engaging in data-driven decision-making;

58.28 (4) providing multilayered levels of support;

58.29 (5) supporting culturally responsive teaching and learning aligning the development
58.30 of academic English proficiency, state and local academic standards, and career and
58.31 college readiness benchmarks; ~~and~~

58.32 (6) engaging parents, families, youth, and local community members in programs
58.33 and activities at the school district, school site, or charter school that foster collaboration
58.34 and shared accountability for the achievement of all students; and

59.1 (7) translating district forms and other information such as a multilingual glossary of
59.2 commonly used education terms and phrases.

59.3 Centers must work with school site leadership teams to build capacity the expertise and
59.4 experience to implement programs that close the achievement gap, provide effective and
59.5 differentiated programs and instruction for different types of English learners, including
59.6 English learners with limited or interrupted formal schooling and long-term English
59.7 learners under section 124D.59, subdivisions 2 and 2a, increase students' progress and
59.8 growth toward career and college readiness, and increase student graduation rates.

59.9 (b) The department must assist the regional centers of excellence to meet staff,
59.10 facilities, and technical needs, provide the centers with programmatic support, and work
59.11 with the centers to establish a coherent statewide system of regional support, including
59.12 consulting, training, and technical support, to help school boards, school districts, school
59.13 sites, and charter schools effectively and efficiently implement the world's best workforce
59.14 goals under section 120B.11 and other state and federal education initiatives.

59.15 Sec. 4. Minnesota Statutes 2012, section 120B.12, is amended to read:

59.16 **120B.12 READING PROFICIENTLY NO LATER THAN THE END OF**
59.17 **GRADE 3.**

59.18 Subdivision 1. **Literacy goal.** The legislature seeks to have every child reading at or
59.19 above grade level no later than the end of grade 3, including English learners, and that
59.20 teachers provide comprehensive, scientifically based reading instruction consistent with
59.21 section 122A.06, subdivision 4.

59.22 Subd. 2. **Identification; report.** For the 2011-2012 school year and later, each
59.23 school district shall identify before the end of kindergarten, grade 1, and grade 2 students
59.24 who are not reading at grade level before the end of the current school year. Reading
59.25 assessments in English, and in the predominant languages of district students where
59.26 practicable, must identify and evaluate students' areas of academic need related to literacy.
59.27 The district also must monitor the progress and provide reading instruction appropriate
59.28 to the specific needs of English learners. The district must use a locally adopted,
59.29 developmentally appropriate, and culturally responsive assessment and annually report
59.30 summary assessment results to the commissioner by July 1.

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

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

59.35 (2) reading-related services currently being provided to the student; and

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

60.3 Subd. 3. **Intervention.** For each student identified under subdivision 2, the district
60.4 shall provide reading intervention to accelerate student growth ~~in order to~~ and reach the
60.5 goal of reading at or above grade level by the end of the current grade and school year.
60.6 District intervention methods shall encourage ~~parental involvement~~ family engagement
60.7 and, where possible, collaboration with appropriate school and community programs.
60.8 Intervention methods may include, but are not limited to, requiring attendance in summer
60.9 school, intensified reading instruction that may require that the student be removed from
60.10 the regular classroom for part of the school day ~~or~~, extended-day programs, or programs
60.11 that strengthen students' cultural connections.

60.12 Subd. 4. **Staff development.** Each district shall use the data under subdivision 2 to
60.13 identify the staff development needs so that:

60.14 (1) elementary teachers are able to implement comprehensive, scientifically based
60.15 reading and oral language instruction in the five reading areas of phonemic awareness,
60.16 phonics, fluency, vocabulary, and comprehension as defined in section 122A.06,
60.17 subdivision 4, and other literacy-related areas including writing until the student achieves
60.18 grade-level reading proficiency;

60.19 (2) elementary teachers have sufficient training to provide comprehensive,
60.20 scientifically based reading and oral language instruction that meets students'
60.21 developmental, linguistic, and literacy needs using the intervention methods or programs
60.22 selected by the district for the identified students;

60.23 (3) licensed teachers employed by the district have regular opportunities to improve
60.24 reading and writing instruction; ~~and~~

60.25 (4) licensed teachers recognize students' diverse needs in cross-cultural settings
60.26 and are able to serve the oral language and linguistic needs of students who are English
60.27 learners by maximizing strengths in their native languages in order to cultivate students'
60.28 English language development, including oral academic language development, and
60.29 build academic literacy; and

60.30 (5) licensed teachers are well trained in culturally responsive pedagogy that enables
60.31 students to master content, develop skills to access content, and build relationships.

60.32 Subd. 4a. **Local literacy plan.** Consistent with this section, a school district must
60.33 adopt a local literacy plan to have every child reading at or above grade level no later than
60.34 the end of grade 3, including English learners. The plan must include a process to assess
60.35 students' level of reading proficiency, notify and involve parents, intervene with students

61.1 who are not reading at or above grade level, and identify and meet staff development
61.2 needs. The district must post its literacy plan on the official school district Web site.

61.3 Subd. 5. **Commissioner.** The commissioner shall recommend to districts multiple
61.4 assessment tools to assist districts and teachers with identifying students under subdivision
61.5 2. The commissioner shall also make available examples of nationally recognized and
61.6 research-based instructional methods or programs to districts to provide comprehensive,
61.7 scientifically based reading instruction and intervention under this section.

61.8 Sec. 5. Minnesota Statutes 2013 Supplement, section 120B.125, is amended to read:

61.9 **120B.125 PLANNING FOR STUDENTS' SUCCESSFUL TRANSITION**
61.10 **TO POSTSECONDARY EDUCATION AND EMPLOYMENT; INVOLUNTARY**
61.11 **CAREER TRACKING PROHIBITED.**

61.12 (a) Consistent with sections 120B.128, 120B.13, 120B.131, 120B.132, 120B.14,
61.13 120B.15, 120B.30, subdivision 1, paragraph (c), 125A.08, and other related sections,
61.14 school districts, beginning in the 2013-2014 school year, must assist all students by no
61.15 later than grade 9 to explore their college and career interests and aspirations and develop
61.16 a plan for a smooth and successful transition to postsecondary education or employment.
61.17 All students' plans must be designed to:

61.18 (1) provide a comprehensive academic plan for completing a college and
61.19 career-ready curriculum premised on meeting state and local academic standards
61.20 and developing 21st century skills such as team work, collaboration, creativity,
61.21 communication, critical thinking, and good work habits;

61.22 (2) emphasize academic rigor and high expectations;

61.23 (3) help students identify personal learning styles that may affect their postsecondary
61.24 education and employment choices;

61.25 (4) help students gain access to postsecondary education and career options;

61.26 (5) integrate strong academic content into career-focused courses and integrate
61.27 relevant career-focused courses into strong academic content;

61.28 (6) help students and families identify and gain access to appropriate counseling
61.29 and other supports and assistance that enable students to complete required coursework,
61.30 prepare for postsecondary education and careers, and obtain information about
61.31 postsecondary education costs and eligibility for financial aid and scholarship;

61.32 (7) help students and families identify collaborative partnerships of ~~kindergarten~~
61.33 prekindergarten through grade 12 schools, postsecondary institutions, economic
61.34 development agencies, and employers that support students' transition to postsecondary

62.1 education and employment and provide students with experiential learning opportunities;
62.2 and

62.3 (8) be reviewed and revised at least annually by the student, the student's parent or
62.4 guardian, and the school or district to ensure that the student's course-taking schedule
62.5 keeps the student making adequate progress to meet state and local high school graduation
62.6 requirements and with a reasonable chance to succeed with employment or postsecondary
62.7 education without the need to first complete remedial course work.

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

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

62.16 Sec. 6. Minnesota Statutes 2013 Supplement, section 120B.35, subdivision 3, is
62.17 amended to read:

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

62.23 (b) The commissioner, in consultation with a stakeholder group that includes
62.24 assessment and evaluation directors ~~and~~, district staff, experts in culturally responsive
62.25 teaching, and researchers₂, must implement a model that uses a value-added growth
62.26 indicator and includes criteria for identifying schools and school districts that demonstrate
62.27 medium and high growth under section 120B.299, subdivisions 8 and 9, and may
62.28 recommend other value-added measures under section 120B.299, subdivision 3. The model
62.29 may be used to advance educators' professional development and replicate programs that
62.30 succeed in meeting students' diverse learning needs. Data on individual teachers generated
62.31 under the model are personnel data under section 13.43. The model must allow users to:

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

62.33 (2) for all student categories, report and compare aggregated and disaggregated state
62.34 growth data using the nine student categories identified under the federal 2001 No Child

63.1 Left Behind Act and two student gender categories of male and female, respectively,
63.2 following appropriate reporting practices to protect nonpublic student data.

63.3 The commissioner must report measures of student growth, consistent with this
63.4 paragraph.

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

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

63.14 (2) a rigorous coursework measure indicating the number and percentage of high
63.15 school graduates in the most recent school year who successfully completed one or more
63.16 college-level advanced placement, international baccalaureate, postsecondary enrollment
63.17 options including concurrent enrollment, other rigorous courses of study under section
63.18 120B.021, subdivision 1a, or industry certification courses or programs.

63.19 When reporting the core measures under clauses (1) and (2), the commissioner must also
63.20 analyze and report separate categories of information using the nine student categories
63.21 identified under the federal 2001 No Child Left Behind Act and two student gender
63.22 categories of male and female, respectively, following appropriate reporting practices to
63.23 protect nonpublic student data.

63.24 (d) When reporting student performance under section 120B.36, subdivision 1, the
63.25 commissioner annually, beginning July 1, 2014, must report summary data on school
63.26 safety and students' engagement and connection at school. The summary data under this
63.27 paragraph are separate from and must not be used for any purpose related to measuring
63.28 or evaluating the performance of classroom teachers. The commissioner, in consultation
63.29 with qualified experts on student engagement and connection and classroom teachers,
63.30 must identify highly reliable variables that generate summary data under this paragraph.
63.31 The summary data may be used at school, district, and state levels only. Any data on
63.32 individuals received, collected, or created that are used to generate the summary data
63.33 under this paragraph are nonpublic data under section 13.02, subdivision 9.

63.34 (e) For purposes of statewide educational accountability, the commissioner must
63.35 identify and report measures that demonstrate the success of learning year program
63.36 providers under sections 123A.05 and 124D.68, among other such providers, in improving

64.1 students' graduation outcomes. The commissioner, beginning July 1, 2015, must annually
64.2 report summary data on:

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

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

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

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

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

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

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

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

64.15 (f) The commissioner, in consultation with recognized experts with knowledge and
64.16 experience in assessing the language proficiency and academic performance of English
64.17 learners, must identify and report appropriate and effective measures to improve current
64.18 categories of language difficulty and assessments, and monitor and report data on students'
64.19 English proficiency levels, program placement, and academic language development,
64.20 including oral academic language.

64.21 Sec. 7. Minnesota Statutes 2013 Supplement, section 120B.36, subdivision 1, is
64.22 amended to read:

64.23 Subdivision 1. **School performance reports.** (a) The commissioner shall report
64.24 student academic performance under section 120B.35, subdivision 2; the percentages of
64.25 students showing low, medium, and high growth under section 120B.35, subdivision
64.26 3, paragraph (b); school safety and student engagement and connection under section
64.27 120B.35, subdivision 3, paragraph (d); rigorous coursework under section 120B.35,
64.28 subdivision 3, paragraph (c); the percentage of students under section 120B.35,
64.29 subdivision 3, paragraph (b), clause (2), whose progress and performance levels are
64.30 meeting career and college readiness benchmarks under sections 120B.30, subdivision 1,
64.31 and 120B.35, subdivision 3, paragraph (e); longitudinal data on the progress of eligible
64.32 districts in reducing disparities in students' academic achievement and realizing racial and
64.33 economic integration under section 124D.861; the acquisition of English, and where
64.34 practicable, native language academic literacy, including oral academic language, and
64.35 the academic progress of English learners under section 124D.59, subdivisions 2 and

65.1 2a; two separate student-to-teacher ratios that clearly indicate the definition of teacher
65.2 consistent with sections 122A.06 and 122A.15 for purposes of determining these ratios;
65.3 staff characteristics excluding salaries; student enrollment demographics; district mobility;
65.4 and extracurricular activities. The report also must indicate a school's adequate yearly
65.5 progress status under applicable federal law, and must not set any designations applicable
65.6 to high- and low-performing schools due solely to adequate yearly progress status.

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

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

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

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

65.19 Sec. 8. Minnesota Statutes 2012, section 122A.06, subdivision 4, is amended to read:

65.20 Subd. 4. **Comprehensive, scientifically based reading instruction.** (a)
65.21 "Comprehensive, scientifically based reading instruction" includes a program or collection
65.22 of instructional practices that is based on valid, replicable evidence showing that when
65.23 these programs or practices are used, students can be expected to achieve, at a minimum,
65.24 satisfactory reading progress. The program or collection of practices must include, at a
65.25 minimum, effective, balanced instruction in all five areas of reading: phonemic awareness,
65.26 phonics, fluency, vocabulary development, and reading comprehension.

65.27 Comprehensive, scientifically based reading instruction also includes and integrates
65.28 instructional strategies for continuously assessing, evaluating, and communicating
65.29 the student's reading progress and needs in order to design and implement ongoing
65.30 interventions so that students of all ages and proficiency levels can read and comprehend
65.31 text, write, and apply higher level thinking skills. For English learners developing literacy
65.32 skills, districts are encouraged to use strategies that teach reading and writing in the
65.33 students' native language and English at the same time.

65.34 (b) "Fluency" is the ability of students to read text with speed, accuracy, and proper
65.35 expression.

66.1 (c) "Phonemic awareness" is the ability of students to notice, think about, and
66.2 manipulate individual sounds in spoken syllables and words.

66.3 (d) "Phonics" is the understanding that there are systematic and predictable
66.4 relationships between written letters and spoken words. Phonics instruction is a way
66.5 of teaching reading that stresses learning how letters correspond to sounds and how to
66.6 apply this knowledge in reading and spelling.

66.7 (e) "Reading comprehension" is an active process that requires intentional thinking
66.8 during which meaning is constructed through interactions between text and reader.
66.9 Comprehension skills are taught explicitly by demonstrating, explaining, modeling, and
66.10 implementing specific cognitive strategies to help beginning readers derive meaning
66.11 through intentional, problem-solving thinking processes.

66.12 (f) "Vocabulary development" is the process of teaching vocabulary both directly
66.13 and indirectly, with repetition and multiple exposures to vocabulary items. Learning in
66.14 rich contexts, incidental learning, and use of computer technology enhance the acquiring
66.15 of vocabulary.

66.16 (g) Nothing in this subdivision limits the authority of a school district to select a
66.17 school's reading program or curriculum.

66.18 Sec. 9. Minnesota Statutes 2013 Supplement, section 122A.09, subdivision 4, is
66.19 amended to read:

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

66.22 (b) The board must adopt rules requiring a person to pass a skills examination in
66.23 reading, writing, and mathematics as a requirement for initial teacher licensure, except
66.24 that the board may issue up to two additional temporary, one-year teaching licenses to an
66.25 otherwise qualified candidate who has not yet passed the skills exam. Such rules must
66.26 require college and universities offering a board-approved teacher preparation program to
66.27 provide remedial assistance to persons who did not achieve a qualifying score on the skills
66.28 examination, including those for whom English is a second language.

66.29 (c) The board must adopt rules to approve teacher preparation programs. The board,
66.30 upon the request of a postsecondary student preparing for teacher licensure or a licensed
66.31 graduate of a teacher preparation program, shall assist in resolving a dispute between the
66.32 person and a postsecondary institution providing a teacher preparation program when the
66.33 dispute involves an institution's recommendation for licensure affecting the person or the
66.34 person's credentials. At the board's discretion, assistance may include the application
66.35 of chapter 14.

67.1 (d) The board must provide the leadership and adopt rules for the redesign of teacher
67.2 education programs to implement a research based, results-oriented curriculum that
67.3 focuses on the skills teachers need in order to be effective. The board shall implement new
67.4 systems of teacher preparation program evaluation to assure program effectiveness based
67.5 on proficiency of graduates in demonstrating attainment of program outcomes. Teacher
67.6 preparation programs including alternative teacher preparation programs under section
67.7 122A.245, among other programs, must include a content-specific, board-approved,
67.8 performance-based assessment that measures teacher candidates in three areas: planning
67.9 for instruction and assessment; engaging students and supporting learning; and assessing
67.10 student learning.

67.11 (e) The board must adopt rules requiring candidates for initial licenses to pass an
67.12 examination of general pedagogical knowledge and examinations of licensure-specific
67.13 teaching skills. The rules shall be effective by September 1, 2001. The rules under this
67.14 paragraph also must require candidates for initial licenses to teach prekindergarten or
67.15 elementary students to pass, as part of the examination of licensure-specific teaching
67.16 skills, test items assessing the candidates' knowledge, skill, and ability in comprehensive,
67.17 scientifically based reading instruction under section 122A.06, subdivision 4, and their
67.18 knowledge and understanding of the foundations of reading development, the development
67.19 of reading comprehension, and reading assessment and instruction, and their ability to
67.20 integrate that knowledge and understanding.

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

67.24 (g) The board must grant licenses to interns and to candidates for initial licenses
67.25 based on appropriate professional competencies that are aligned with the board's licensing
67.26 system and students' diverse learning needs. All teacher candidates must have preparation
67.27 in English language development and content instruction for English learners in order to be
67.28 able to effectively instruct the English learners in their classrooms. The board must include
67.29 these licenses in a statewide differentiated licensing system that creates new leadership
67.30 roles for successful experienced teachers premised on a collaborative professional culture
67.31 dedicated to meeting students' diverse learning needs in the 21st century, recognizes the
67.32 importance of cultural and linguistic competencies, including the ability to teach and
67.33 communicate in culturally competent and aware ways, and formalizes mentoring and
67.34 induction for newly licensed teachers ~~that is~~ provided through a teacher support framework.

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

68.4 (i) The board must receive recommendations from local committees as established
68.5 by the board for the renewal of teaching licenses. The board must require licensed teachers
68.6 who are renewing a continuing license to include in the renewal requirements further
68.7 preparation in English language development and specially designed content instruction
68.8 in English for English learners.

68.9 (j) The board must grant life licenses to those who qualify according to requirements
68.10 established by the board, and suspend or revoke licenses pursuant to sections 122A.20 and
68.11 214.10. The board must not establish any expiration date for application for life licenses.

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

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

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

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

68.35 **EFFECTIVE DATE.** This section is effective August 1, 2015, and applies to
68.36 individuals entering a teacher preparation program after that date.

69.1 Sec. 10. Minnesota Statutes 2012, section 122A.14, subdivision 2, is amended to read:

69.2 Subd. 2. **Preparation programs.** The board shall review and approve or
69.3 disapprove preparation programs for school administrators and alternative preparation
69.4 programs for administrators under section 122A.27, and must consider other alternative
69.5 competency-based preparation programs leading to licensure. Among other requirements,
69.6 preparation programs must include instruction on meeting the varied needs of English
69.7 learners, from young children to adults, in English and, where practicable, in students'
69.8 native language.

69.9 **EFFECTIVE DATE.** This section is effective August 1, 2015, and applies to
69.10 individuals entering a school administrator preparation program after that date.

69.11 Sec. 11. Minnesota Statutes 2012, section 122A.14, subdivision 3, is amended to read:

69.12 Subd. 3. **Rules for continuing education requirements.** The board shall
69.13 adopt rules establishing continuing education requirements that promote continuous
69.14 improvement and acquisition of new and relevant skills by school administrators.
69.15 Continuing education programs, among other things, must provide school administrators
69.16 with information and training about building coherent and effective English learner
69.17 strategies that include relevant professional development, accountability for student
69.18 progress, students' access to the general curriculum, and sufficient staff capacity to effect
69.19 these strategies. A retired school principal who serves as a substitute principal or assistant
69.20 principal for the same person on a day-to-day basis for no more than 15 consecutive
69.21 school days is not subject to continuing education requirements as a condition of serving
69.22 as a substitute principal or assistant principal.

69.23 **EFFECTIVE DATE.** This section is effective August 1, 2015, and applies to school
69.24 administrators renewing an administrator's license after that date.

69.25 Sec. 12. Minnesota Statutes 2013 Supplement, section 122A.18, subdivision 2, is
69.26 amended to read:

69.27 Subd. 2. **Teacher and support personnel qualifications.** (a) The Board of
69.28 Teaching must issue licenses under its jurisdiction to persons the board finds to be
69.29 qualified and competent for their respective positions.

69.30 (b) The board must require a person to pass an examination of skills in reading,
69.31 writing, and mathematics before being granted an initial teaching license to provide direct
69.32 instruction to pupils in prekindergarten, elementary, secondary, or special education
69.33 programs, except that the board may issue up to two additional temporary, one-year

70.1 teaching licenses to an otherwise qualified candidate who has not yet passed the skills
70.2 exam. The board must require colleges and universities offering a board approved teacher
70.3 preparation program to make available upon request remedial assistance that includes a
70.4 formal diagnostic component to persons enrolled in their institution who did not achieve a
70.5 qualifying score on the skills examination, including those for whom English is a second
70.6 language. The colleges and universities must make available assistance in the specific
70.7 academic areas of deficiency in which the person did not achieve a qualifying score.
70.8 School districts may make available upon request similar, appropriate, and timely remedial
70.9 assistance that includes a formal diagnostic component to those persons employed by the
70.10 district who completed their teacher education program, who did not achieve a qualifying
70.11 score on the skills examination, including those persons for whom English is a second
70.12 language and persons under section 122A.23, subdivision 2, paragraph (h), who completed
70.13 their teacher's education program outside the state of Minnesota, and who received a
70.14 temporary license to teach in Minnesota. The Board of Teaching shall report annually
70.15 to the education committees of the legislature on the total number of teacher candidates
70.16 during the most recent school year taking the skills examination, the number who achieve
70.17 a qualifying score on the examination, the number who do not achieve a qualifying score
70.18 on the examination, the distribution of all candidates' scores, the number of candidates
70.19 who have taken the examination at least once before, and the number of candidates who
70.20 have taken the examination at least once before and achieve a qualifying score.

70.21 (c) The Board of Teaching must grant continuing licenses only to those persons who
70.22 have met board criteria for granting a continuing license, which includes passing the
70.23 skills examination in reading, writing, and mathematics consistent with paragraph (b) and
70.24 section 122A.09, subdivision 4, paragraph (b).

70.25 (d) All colleges and universities approved by the board of teaching to prepare persons
70.26 for teacher licensure must include in their teacher preparation programs a common core
70.27 of teaching knowledge and skills to be acquired by all persons recommended for teacher
70.28 licensure. Among other requirements, teacher candidates must demonstrate the knowledge
70.29 and skills needed to provide appropriate instruction to English learners to support and
70.30 accelerate their academic literacy, including oral academic language, and achievement in
70.31 content areas in a regular classroom setting. This common core shall meet the standards
70.32 developed by the interstate new teacher assessment and support consortium in its 1992
70.33 "model standards for beginning teacher licensing and development." Amendments to
70.34 standards adopted under this paragraph are covered by chapter 14. The board of teaching
70.35 shall report annually to the education committees of the legislature on the performance

71.1 of teacher candidates on common core assessments of knowledge and skills under this
71.2 paragraph during the most recent school year.

71.3 **EFFECTIVE DATE.** This section is effective August 1, 2015, and applies to
71.4 individuals entering a teacher preparation program after that date.

71.5 Sec. 13. Minnesota Statutes 2012, section 122A.18, subdivision 2a, is amended to read:

71.6 Subd. 2a. **Reading strategies.** (a) All colleges and universities approved by the
71.7 Board of Teaching to prepare persons for classroom teacher licensure must include in
71.8 their teacher preparation programs research-based best practices in reading, consistent
71.9 with section 122A.06, subdivision 4, that enable the licensure candidate to know how to
71.10 teach reading in the candidate's content areas. Teacher candidates must be instructed
71.11 in using students' native languages as a resource in creating effective differentiated
71.12 instructional strategies for English learners developing literacy skills. These colleges and
71.13 universities also must prepare candidates for initial licenses to teach prekindergarten or
71.14 elementary students for the assessment of reading instruction portion of the examination
71.15 of licensure-specific teaching skills under section 122A.09, subdivision 4, paragraph (e).

71.16 (b) Board-approved teacher preparation programs for teachers of elementary
71.17 education must require instruction in the application of comprehensive, scientifically
71.18 based, and balanced reading instruction programs that:

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

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

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

71.26 **EFFECTIVE DATE.** This section is effective August 1, 2015, and applies to
71.27 individuals entering a teacher preparation program after that date.

71.28 Sec. 14. Minnesota Statutes 2012, section 122A.18, subdivision 4, is amended to read:

71.29 Subd. 4. **Expiration and renewal.** (a) Each license the Department of Education
71.30 issues through its licensing section must bear the date of issue. Licenses must expire
71.31 and be renewed according to the respective rules the Board of Teaching, the Board
71.32 of School Administrators, or the commissioner of education adopts. Requirements for
71.33 renewing a license must include showing satisfactory evidence of successful teaching or

72.1 administrative experience for at least one school year during the period covered by the
72.2 license in grades or subjects for which the license is valid or completing such additional
72.3 preparation as the Board of Teaching prescribes. The Board of School Administrators
72.4 shall establish requirements for renewing the licenses of supervisory personnel except
72.5 athletic coaches. The State Board of Teaching shall establish requirements for renewing
72.6 the licenses of athletic coaches.

72.7 (b) Relicensure applicants who have been employed as a teacher during the renewal
72.8 period of their expiring license, as a condition of relicensure, must present to their local
72.9 continuing education and relicensure committee or other local relicensure committee
72.10 evidence of work that demonstrates professional reflection and growth in best teaching
72.11 practices, including among other things, practices in meeting the varied needs of English
72.12 learners, from young children to adults under section 124D.59, subdivisions 2 and 2a. The
72.13 applicant must include a reflective statement of professional accomplishment and the
72.14 applicant's own assessment of professional growth showing evidence of:

72.15 (1) support for student learning;

72.16 (2) use of best practices techniques and their applications to student learning;

72.17 (3) collaborative work with colleagues that includes examples of collegiality such as
72.18 attested-to committee work, collaborative staff development programs, and professional
72.19 learning community work; or

72.20 (4) continual professional development that may include (i) job-embedded or other
72.21 ongoing formal professional learning or (ii) for teachers employed for only part of the
72.22 renewal period of their expiring license, other similar professional development efforts
72.23 made during the relicensure period.

72.24 The Board of Teaching must ensure that its teacher relicensing requirements also include
72.25 this paragraph.

72.26 (c) The Board of Teaching shall offer alternative continuing relicensure options for
72.27 teachers who are accepted into and complete the National Board for Professional Teaching
72.28 Standards certification process, and offer additional continuing relicensure options for
72.29 teachers who earn National Board for Professional Teaching Standards certification.
72.30 Continuing relicensure requirements for teachers who do not maintain National Board for
72.31 Professional Teaching Standards certification are those the board prescribes, consistent
72.32 with this section.

72.33 **EFFECTIVE DATE.** This section is effective August 1, 2015, and applies to
72.34 licensed teachers renewing a teaching license after that date.

73.1 Sec. 15. Minnesota Statutes 2012, section 122A.19, is amended to read:

73.2 **122A.19 BILINGUAL AND ENGLISH AS A SECOND LANGUAGE**
 73.3 **TEACHERS; LICENSES.**

73.4 Subdivision 1. **Bilingual and English as a second language licenses.** The Board of
 73.5 Teaching, hereinafter the board, must grant teaching licenses in bilingual education and
 73.6 English as a second language to persons who present satisfactory evidence that they:

73.7 (a) Possess competence and communicative skills in English and in another language;

73.8 (b) Possess a bachelor's degree or other academic degree approved by the board,
 73.9 and meet such requirements as to course of study and training as the board may prescribe,
 73.10 consistent with subdivision 4.

73.11 Subd. 2. **Persons holding general teaching licenses.** The board may license a
 73.12 person holding who holds a general teaching license and who presents the board with
 73.13 satisfactory evidence of competence and communicative skills in a language other than
 73.14 English ~~may be licensed~~ under this section.

73.15 ~~Subd. 3. **Employment of teachers.** Teachers employed in a bilingual education~~
 73.16 ~~or English as a second language program established pursuant to sections 124D.58 to~~
 73.17 ~~124D.64 shall not be employed to replace any presently employed teacher who otherwise~~
 73.18 ~~would not be replaced.~~

73.19 Subd. 4. **Teacher preparation programs.** For the purpose of licensing bilingual
 73.20 and English as a second language teachers, the board may approve programs at colleges
 73.21 or universities designed for their training. These programs must provide instruction in
 73.22 implementing research-based practices designed specifically for English learners. The
 73.23 programs must focus on developing English learners' academic language proficiency in
 73.24 English, including oral academic language, giving English learners meaningful access to
 73.25 the full school curriculum, developing culturally relevant teaching practices appropriate
 73.26 for immigrant students, and providing more intensive instruction and resources to English
 73.27 learners with lower levels of academic English proficiency and varied needs, consistent
 73.28 with section 124D.59, subdivisions 2 and 2a.

73.29 Subd. 5. **Persons eligible for employment.** Any person licensed under this section
 73.30 ~~shall be~~ is eligible for employment by a school board as a teacher in a bilingual education
 73.31 or English as a second language program in which the language for which the person is
 73.32 licensed is taught or used as a medium of instruction. A board may prescribe only those
 73.33 additional qualifications for teachers licensed under this section as that are approved
 73.34 by the board of teaching.

73.35 Subd. 6. **Affirmative efforts in hiring.** In hiring for all ~~positions in~~ bilingual
 73.36 education ~~programs~~ program positions, districts must give preference to and make

74.1 affirmative efforts to seek, recruit, and employ persons who (1) are (a) native speakers of
74.2 the language which is the medium of instruction in the bilingual education program or share
74.3 a native language with the majority of their students, and (b)(2) who share the culture of the
74.4 English learners who are enrolled in the program. The district shall provide procedures for
74.5 ~~the involvement of~~ involving the parent advisory committees in designing the procedures
74.6 ~~for the recruitment~~ recruiting, screening, and ~~selection of~~ selecting applicants. This section
74.7 must not be construed to limit the school board's authority to hire and discharge personnel.

74.8 **EFFECTIVE DATE.** Subdivisions 1, 2, 5, and 6 are effective August 1, 2015.
74.9 Subdivision 3 is effective the day following final enactment. Subdivision 4 is effective
74.10 August 1, 2015, and applies to an individual entering a teacher preparation program after
74.11 that date.

74.12 Sec. 16. Minnesota Statutes 2013 Supplement, section 122A.40, subdivision 8, is
74.13 amended to read:

74.14 Subd. 8. **Development, evaluation, and peer coaching for continuing contract**
74.15 **teachers.** (a) To improve student learning and success, a school board and an exclusive
74.16 representative of the teachers in the district, consistent with paragraph (b), may develop
74.17 a teacher evaluation and peer review process for probationary and continuing contract
74.18 teachers through joint agreement. If a school board and the exclusive representative of the
74.19 teachers do not agree to an annual teacher evaluation and peer review process, then the
74.20 school board and the exclusive representative of the teachers must implement the plan
74.21 for evaluation and review under paragraph (c). The process must include having trained
74.22 observers serve as peer coaches or having teachers participate in professional learning
74.23 communities, consistent with paragraph (b).

74.24 (b) To develop, improve, and support qualified teachers and effective teaching
74.25 practices and improve student learning and success, the annual evaluation process for
74.26 teachers:

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

74.29 (2) must establish a three-year professional review cycle for each teacher that
74.30 includes an individual growth and development plan, a peer review process, the
74.31 opportunity to participate in a professional learning community under paragraph (a), and
74.32 at least one summative evaluation performed by a qualified and trained evaluator such as a
74.33 school administrator. For the years when a tenured teacher is not evaluated by a qualified
74.34 and trained evaluator, the teacher must be evaluated by a peer review;

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

75.1 (4) must coordinate staff development activities under sections 122A.60 and
75.2 122A.61 with this evaluation process and teachers' evaluation outcomes;

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

75.5 (6) may include mentoring and induction programs;

75.6 (7) must include an option for teachers to develop and present a portfolio
75.7 demonstrating evidence of reflection and professional growth, consistent with section
75.8 122A.18, subdivision 4, paragraph (b), and include teachers' own performance assessment
75.9 based on student work samples and examples of teachers' work, which may include video
75.10 among other activities for the summative evaluation;

75.11 (8) must use data from valid and reliable assessments aligned to state and local
75.12 academic standards and must use state and local measures of student growth and literacy
75.13 that may include value-added models or student learning goals to determine 35 percent of
75.14 teacher evaluation results;

75.15 (9) must use longitudinal data on student engagement and connection, the academic
75.16 literacy, including oral academic language, and achievement of content areas of English
75.17 learners, and other student outcome measures explicitly aligned with the elements of
75.18 curriculum for which teachers are responsible;

75.19 (10) must require qualified and trained evaluators such as school administrators to
75.20 perform summative evaluations;

75.21 (11) must give teachers not meeting professional teaching standards under clauses
75.22 (3) through (10) support to improve through a teacher improvement process that includes
75.23 established goals and timelines; and

75.24 (12) must discipline a teacher for not making adequate progress in the teacher
75.25 improvement process under clause (11) that may include a last chance warning,
75.26 termination, discharge, nonrenewal, transfer to a different position, a leave of absence, or
75.27 other discipline a school administrator determines is appropriate.

75.28 Data on individual teachers generated under this subdivision are personnel data
75.29 under section 13.43.

75.30 (c) The department, in consultation with parents who may represent parent
75.31 organizations and teacher and administrator representatives appointed by their respective
75.32 organizations, representing the Board of Teaching, the Minnesota Association of School
75.33 Administrators, the Minnesota School Boards Association, the Minnesota Elementary
75.34 and Secondary Principals Associations, Education Minnesota, and representatives of
75.35 the Minnesota Assessment Group, the Minnesota Business Partnership, the Minnesota
75.36 Chamber of Commerce, and Minnesota postsecondary institutions with research expertise

76.1 in teacher evaluation, must create and publish a teacher evaluation process that complies
76.2 with the requirements in paragraph (b) and applies to all teachers under this section and
76.3 section 122A.41 for whom no agreement exists under paragraph (a) for an annual teacher
76.4 evaluation and peer review process. The teacher evaluation process created under this
76.5 subdivision does not create additional due process rights for probationary teachers under
76.6 subdivision 5.

76.7 Sec. 17. Minnesota Statutes 2013 Supplement, section 122A.41, subdivision 5, is
76.8 amended to read:

76.9 Subd. 5. **Development, evaluation, and peer coaching for continuing contract**
76.10 **teachers.** (a) To improve student learning and success, a school board and an exclusive
76.11 representative of the teachers in the district, consistent with paragraph (b), may develop an
76.12 annual teacher evaluation and peer review process for probationary and nonprobationary
76.13 teachers through joint agreement. If a school board and the exclusive representative of
76.14 the teachers in the district do not agree to an annual teacher evaluation and peer review
76.15 process, then the school board and the exclusive representative of the teachers must
76.16 implement the plan for evaluation and review developed under paragraph (c). The process
76.17 must include having trained observers serve as peer coaches or having teachers participate
76.18 in professional learning communities, consistent with paragraph (b).

76.19 (b) To develop, improve, and support qualified teachers and effective teaching
76.20 practices and improve student learning and success, the annual evaluation process for
76.21 teachers:

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

76.24 (2) must establish a three-year professional review cycle for each teacher that
76.25 includes an individual growth and development plan, a peer review process, the
76.26 opportunity to participate in a professional learning community under paragraph (a), and
76.27 at least one summative evaluation performed by a qualified and trained evaluator such
76.28 as a school administrator;

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

76.30 (4) must coordinate staff development activities under sections 122A.60 and
76.31 122A.61 with this evaluation process and teachers' evaluation outcomes;

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

76.34 (6) may include mentoring and induction programs;

77.1 (7) must include an option for teachers to develop and present a portfolio
77.2 demonstrating evidence of reflection and professional growth, consistent with section
77.3 122A.18, subdivision 4, paragraph (b), and include teachers' own performance assessment
77.4 based on student work samples and examples of teachers' work, which may include video
77.5 among other activities for the summative evaluation;

77.6 (8) must use data from valid and reliable assessments aligned to state and local
77.7 academic standards and must use state and local measures of student growth and literacy
77.8 that may include value-added models or student learning goals to determine 35 percent of
77.9 teacher evaluation results;

77.10 (9) must use longitudinal data on student engagement and connection, the academic
77.11 literacy, including oral academic language, and achievement of English learners, and
77.12 other student outcome measures explicitly aligned with the elements of curriculum for
77.13 which teachers are responsible;

77.14 (10) must require qualified and trained evaluators such as school administrators to
77.15 perform summative evaluations;

77.16 (11) must give teachers not meeting professional teaching standards under clauses
77.17 (3) through (10) support to improve through a teacher improvement process that includes
77.18 established goals and timelines; and

77.19 (12) must discipline a teacher for not making adequate progress in the teacher
77.20 improvement process under clause (11) that may include a last chance warning,
77.21 termination, discharge, nonrenewal, transfer to a different position, a leave of absence, or
77.22 other discipline a school administrator determines is appropriate.

77.23 Data on individual teachers generated under this subdivision are personnel data
77.24 under section 13.43.

77.25 (c) The department, in consultation with parents who may represent parent
77.26 organizations and teacher and administrator representatives appointed by their respective
77.27 organizations, representing the Board of Teaching, the Minnesota Association of School
77.28 Administrators, the Minnesota School Boards Association, the Minnesota Elementary
77.29 and Secondary Principals Associations, Education Minnesota, and representatives of
77.30 the Minnesota Assessment Group, the Minnesota Business Partnership, the Minnesota
77.31 Chamber of Commerce, and Minnesota postsecondary institutions with research expertise
77.32 in teacher evaluation, must create and publish a teacher evaluation process that complies
77.33 with the requirements in paragraph (b) and applies to all teachers under this section and
77.34 section 122A.40 for whom no agreement exists under paragraph (a) for an annual teacher
77.35 evaluation and peer review process. The teacher evaluation process created under this

78.1 subdivision does not create additional due process rights for probationary teachers under
78.2 subdivision 2.

78.3 Sec. 18. Minnesota Statutes 2012, section 122A.413, subdivision 2, is amended to read:

78.4 Subd. 2. **Plan components.** The educational improvement plan must be approved
78.5 by the school board and have at least these elements:

78.6 (1) assessment and evaluation tools to measure student performance and progress,
78.7 including the academic literacy, oral academic language, and achievement of English
78.8 learners, among other measures;

78.9 (2) performance goals and benchmarks for improvement;

78.10 (3) measures of student attendance and completion rates;

78.11 (4) a rigorous research and practice-based professional development system, based

78.12 on national and state standards of effective teaching practice applicable to all students

78.13 including English learners with varied needs under section 124D.59, subdivisions 2 and

78.14 2a, and consistent with section 122A.60, that is aligned with educational improvement and

78.15 designed to achieve ongoing and schoolwide progress and growth in teaching practice;

78.16 (5) measures of student, family, and community involvement and satisfaction;

78.17 (6) a data system about students and their academic progress that provides parents
78.18 and the public with understandable information;

78.19 (7) a teacher induction and mentoring program for probationary teachers that

78.20 provides continuous learning and sustained teacher support; and

78.21 (8) substantial participation by the exclusive representative of the teachers in

78.22 developing the plan.

78.23 **EFFECTIVE DATE.** This section is effective August 1, 2014, and applies to plans
78.24 approved after that date.

78.25 Sec. 19. Minnesota Statutes 2012, section 122A.414, subdivision 2, is amended to read:

78.26 Subd. 2. **Alternative teacher professional pay system.** (a) To participate in this
78.27 program, a school district, intermediate school district, school site, or charter school must
78.28 have an educational improvement plan under section 122A.413 and an alternative teacher
78.29 professional pay system agreement under paragraph (b). A charter school participant also
78.30 must comply with subdivision 2a.

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

78.32 (1) describe how teachers can achieve career advancement and additional
78.33 compensation;

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

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

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

79.11 (ii) measures of student achievement, including the academic literacy, oral academic
79.12 language, and achievement of English learners, among other measures; and

79.13 (iii) an objective evaluation program that includes:

79.14 (A) individual teacher evaluations aligned with the educational improvement plan
79.15 under section 122A.413 and the staff development plan under section 122A.60; and

79.16 (B) objective evaluations using multiple criteria conducted by a locally selected and
79.17 periodically trained evaluation team that understands teaching and learning;

79.18 (4) provide integrated ongoing site-based professional development activities to
79.19 improve instructional skills and learning that are aligned with student needs under section
79.20 122A.413, consistent with the staff development plan under section 122A.60 and led
79.21 during the school day by trained teacher leaders such as master or mentor teachers;

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

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

79.26 **EFFECTIVE DATE.** This section is effective August 1, 2014, and applies to
79.27 agreements approved after that date.

79.28 Sec. 20. Minnesota Statutes 2012, section 122A.60, subdivision 1a, is amended to read:

79.29 Subd. 1a. **Effective staff development activities.** (a) Staff development activities
79.30 must:

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

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

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

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

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

80.7 (6) provide opportunities to build professional relationships, foster collaboration
80.8 among principals and staff who provide instruction, and provide opportunities for
80.9 teacher-to-teacher mentoring; ~~and~~

80.10 (7) align with the plan of the district or site for an alternative teacher professional
80.11 pay system; and

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

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

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

80.27 Sec. 21. Minnesota Statutes 2012, section 122A.60, subdivision 2, is amended to read:

80.28 Subd. 2. **Contents of plan.** The plan must include the staff development outcomes
80.29 under subdivision 3, the means to achieve the outcomes, and procedures for evaluating
80.30 progress at each school site toward meeting education outcomes, consistent with
80.31 relicensure requirements under section 122A.18, subdivision 4. The plan also must:

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

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

- 81.1 (3) maintain a strong subject matter focus premised on students' learning goals;
- 81.2 (4) ensure specialized preparation and learning about issues related to teaching
- 81.3 English learners and students with special needs by focusing on long-term systemic efforts
- 81.4 to improve educational services and opportunities and raise student achievement; and
- 81.5 (5) reinforce national and state standards of effective teaching practice.

81.6 Sec. 22. Minnesota Statutes 2012, section 122A.60, subdivision 3, is amended to read:

81.7 Subd. 3. **Staff development outcomes.** The advisory staff development committee

81.8 must adopt a staff development plan for improving student achievement. The plan must

81.9 be consistent with education outcomes that the school board determines. The plan

81.10 must include ongoing staff development activities that contribute toward continuous

81.11 improvement in achievement of the following goals:

81.12 (1) improve student achievement of state and local education standards in all areas

81.13 of the curriculum by using research-based best practices methods;

81.14 (2) effectively meet the needs of a diverse student population, including at-risk

81.15 children, children with disabilities, English learners, and gifted children, within the

81.16 regular classroom and other settings;

81.17 (3) provide an inclusive curriculum for a racially, ethnically, linguistically, and

81.18 culturally diverse student population that is consistent with the state education diversity

81.19 rule and the district's education diversity plan;

81.20 (4) improve staff collaboration and develop mentoring and peer coaching programs

81.21 for teachers new to the school or district;

81.22 (5) effectively teach and model violence prevention policy and curriculum that

81.23 address early intervention alternatives, issues of harassment, and teach nonviolent

81.24 alternatives for conflict resolution;

81.25 (6) effectively deliver digital and blended learning and curriculum and engage

81.26 students with technology; and

81.27 (7) provide teachers and other members of site-based management teams with

81.28 appropriate management and financial management skills.

81.29 Sec. 23. Minnesota Statutes 2012, section 122A.68, subdivision 3, is amended to read:

81.30 Subd. 3. **Program components.** In order to be approved by the Board of Teaching,

81.31 a school district's residency program must at minimum include:

81.32 (1) training to prepare teachers to serve as mentors to teaching residents;

81.33 (2) a team mentorship approach to expose teaching residents to a variety of

81.34 teaching methods, philosophies, and classroom environments that includes differentiated

82.1 instructional strategies, effective use of student achievement data, and support for native
82.2 and English language development across the curriculum and grade levels, among other
82.3 things;

82.4 (3) ongoing peer coaching and assessment;

82.5 (4) assistance to the teaching resident in preparing an individual professional
82.6 development plan that includes goals, activities, and assessment methodologies; and

82.7 (5) collaboration with one or more teacher education institutions, career teachers,
82.8 and other community experts to provide local or regional professional development
82.9 seminars or other structured learning experiences for teaching residents.

82.10 A teaching resident's direct classroom supervision responsibilities shall not exceed
82.11 80 percent of the instructional time required of a full-time equivalent teacher in the
82.12 district. During the time a resident does not supervise a class, the resident shall participate
82.13 in professional development activities according to the individual plan developed by the
82.14 resident in conjunction with the school's mentoring team. Examples of development
82.15 activities include observing other teachers, sharing experiences with other teaching
82.16 residents, and professional meetings and workshops.

82.17 Sec. 24. Minnesota Statutes 2012, section 122A.74, is amended to read:

82.18 **122A.74 PRINCIPALS' LEADERSHIP INSTITUTE.**

82.19 Subdivision 1. **Establishment.** (a) The commissioner of education may contract
82.20 with the regents of the University of Minnesota to establish a Principals' Leadership
82.21 Institute to provide professional development to school principals by:

82.22 (1) creating a network of leaders in the educational and business communities to
82.23 communicate current and future trends in leadership techniques;

82.24 (2) helping to create a vision for the school that is aligned with the community
82.25 and district priorities; ~~and~~

82.26 (3) developing strategies to retain highly qualified teachers and ensure that diverse
82.27 student populations, including at-risk students, children with disabilities, English learners,
82.28 and gifted students, among others, have equal access to these highly qualified teachers; and

82.29 (4) providing training to analyze data using culturally competent tools.

82.30 (b) The University of Minnesota must cooperate with participating members of the
82.31 business community to provide funding and content for the institute.

82.32 (c) Participants must agree to attend the Principals' Leadership Institute for four
82.33 weeks during the academic summer.

82.34 (d) The Principals' Leadership Institute must incorporate program elements offered
82.35 by leadership programs at the University of Minnesota and program elements used by

83.1 the participating members of the business community to enhance leadership within their
83.2 businesses.

83.3 Subd. 2. **Method of selection and requirements.** (a) The board of each school
83.4 district in the state may select a principal, upon the recommendation of the district's
83.5 superintendent and based on the principal's leadership potential, to attend the institute.

83.6 (b) The school board annually shall forward its list of recommended participants to
83.7 the commissioner ~~of education~~ by February 1 ~~each year~~. In addition, a principal may submit
83.8 an application directly to the commissioner by February 1. The commissioner ~~of education~~
83.9 shall notify the school board, the principal candidates, and the University of Minnesota of
83.10 the principals selected to participate in the Principals' Leadership Institute each year.

83.11 Sec. 25. Minnesota Statutes 2012, section 123A.06, subdivision 2, is amended to read:

83.12 Subd. 2. **People to be served.** A state-approved alternative program shall provide
83.13 programs for secondary pupils and adults. A center may also provide programs and
83.14 services for elementary and secondary pupils who are not attending the state-approved
83.15 alternative program to assist them in being successful in school. A center shall use
83.16 research-based best practices for serving English learners and their parents, taking into
83.17 account the variations in students' backgrounds and needs and the amount of time and the
83.18 staff resources necessary for students to overcome gaps in their education and to develop
83.19 English proficiency and work-related skills. An individualized education program team
83.20 may identify a state-approved alternative program as an appropriate placement to the
83.21 extent a state-approved alternative program can provide the student with the appropriate
83.22 special education services described in the student's plan. Pupils eligible to be served are
83.23 those who qualify under the graduation incentives program in section 124D.68, subdivision
83.24 2, those enrolled under section 124D.02, subdivision 2, or those pupils who are eligible to
83.25 receive special education services under sections 125A.03 to 125A.24, and 125A.65.

83.26 Sec. 26. Minnesota Statutes 2012, section 123B.04, subdivision 4, is amended to read:

83.27 Subd. 4. **Achievement contract.** A school board may enter a written education site
83.28 achievement contract with each site decision-making team for: (1) setting individualized
83.29 learning and achievement measures and short- and long-term educational goals for each
83.30 student at that site that may include site-based strategies for English language instruction
83.31 targeting the teachers of English learners and all teachers and school administrators;
83.32 (2) recognizing each student's educational needs and aptitudes and levels of academic
83.33 attainment, whether on grade level or above or below grade level, so as to improve student
83.34 performance through such means as a cost-effective, research-based formative assessment

84.1 system designed to promote individualized learning and assessment; (3) using student
84.2 performance data to diagnose a student's academic strengths and weaknesses and indicate
84.3 to the student's teachers the specific skills and concepts that need to be introduced to
84.4 the student and developed through academic instruction or applied learning, organized
84.5 by strands within subject areas and linked to state and local academic standards during
84.6 the next year, consistent with the student's short- and long-term educational goals; and
84.7 (4) assisting the education site if progress in achieving student or contract goals or other
84.8 performance expectations or measures agreed to by the board and the site decision-making
84.9 team are not realized or implemented.

84.10 Sec. 27. Minnesota Statutes 2012, section 123B.147, subdivision 3, is amended to read:

84.11 Subd. 3. **Duties; evaluation.** (a) The principal shall provide administrative,
84.12 supervisory, and instructional leadership services, under the supervision of the
84.13 superintendent of schools of the district and according to the policies, rules, and
84.14 regulations of the school board, for the planning, management, operation, and evaluation
84.15 of the education program of the building or buildings to which the principal is assigned.

84.16 (b) To enhance a principal's leadership skills and support and improve teaching
84.17 practices, school performance, and student achievement for diverse student populations,
84.18 including at-risk students, children with disabilities, English learners, and gifted students,
84.19 among others, a district must develop and implement a performance-based system for
84.20 annually evaluating school principals assigned to supervise a school building within the
84.21 district. The evaluation must be designed to improve teaching and learning by supporting
84.22 the principal in shaping the school's professional environment and developing teacher
84.23 quality, performance, and effectiveness. The annual evaluation must:

84.24 (1) support and improve a principal's instructional leadership, organizational
84.25 management, and professional development, and strengthen the principal's capacity in the
84.26 areas of instruction, supervision, evaluation, and teacher development;

84.27 (2) include formative and summative evaluations based on multiple measures of
84.28 student progress toward career and college readiness;

84.29 (3) be consistent with a principal's job description, a district's long-term plans and
84.30 goals, and the principal's own professional multiyear growth plans and goals, all of which
84.31 must support the principal's leadership behaviors and practices, rigorous curriculum,
84.32 school performance, and high-quality instruction;

84.33 (4) include on-the-job observations and previous evaluations;

85.1 (5) allow surveys to help identify a principal's effectiveness, leadership skills and
85.2 processes, and strengths and weaknesses in exercising leadership in pursuit of school
85.3 success;

85.4 (6) use longitudinal data on student academic growth as 35 percent of the evaluation
85.5 and incorporate district achievement goals and targets;

85.6 (7) be linked to professional development that emphasizes improved teaching and
85.7 learning, curriculum and instruction, student learning, and a collaborative professional
85.8 culture; and

85.9 (8) for principals not meeting standards of professional practice or other criteria
85.10 under this subdivision, implement a plan to improve the principal's performance and
85.11 specify the procedure and consequence if the principal's performance is not improved.

85.12 The provisions of this paragraph are intended to provide districts with sufficient
85.13 flexibility to accommodate district needs and goals related to developing, supporting,
85.14 and evaluating principals.

85.15 Sec. 28. Minnesota Statutes 2012, section 124D.13, subdivision 2, is amended to read:

85.16 Subd. 2. **Program requirements.** (a) Early childhood family education programs
85.17 are programs for children in the period of life from birth to kindergarten, for the parents
85.18 and other relatives of these children, and for expectant parents. To the extent that funds
85.19 are insufficient to provide programs for all children, early childhood family education
85.20 programs should emphasize programming for a child from birth to age three and
85.21 encourage parents and other relatives to involve four- and five-year-old children in school
85.22 readiness programs, and other public and nonpublic early learning programs. A district
85.23 may not limit participation to school district residents. Early childhood family education
85.24 programs must provide:

85.25 (1) programs to educate parents and other relatives about the physical, mental, and
85.26 emotional development of children and to enhance the skills of parents and other relatives
85.27 in providing for their children's learning and development;

85.28 (2) structured learning activities requiring interaction between children and their
85.29 parents or relatives;

85.30 (3) structured learning activities for children that promote children's development
85.31 and positive interaction with peers, which are held while parents or relatives attend parent
85.32 education classes;

85.33 (4) information on related community resources;

85.34 (5) information, materials, and activities that support the safety of children, including
85.35 prevention of child abuse and neglect; and

86.1 (6) a community outreach plan to ensure participation by families who reflect the
86.2 racial, cultural, linguistic, and economic diversity of the school district.

86.3 Early childhood family education programs are encouraged to provide parents of
86.4 English learners with translated oral and written information to monitor the program's
86.5 impact on their children's English language development, to know whether their children
86.6 are progressing in developing their English and native language proficiency, and to
86.7 actively engage with and support their children in developing their English and native
86.8 language proficiency.

86.9 The programs must include learning experiences for children, parents, and other
86.10 relatives that promote children's early literacy and, where practicable, their native
86.11 language skills. ~~The program must not include and~~ activities for children that ~~do not~~
86.12 require substantial involvement of the children's parents or other relatives. Providers must
86.13 review the program ~~must be reviewed~~ periodically to assure the instruction and materials
86.14 are not racially, culturally, or sexually biased. The programs must encourage parents to be
86.15 aware of practices that may affect equitable development of children.

86.16 (b) For the purposes of this section, "relative" or "relatives" means noncustodial
86.17 grandparents or other persons related to a child by blood, marriage, adoption, or foster
86.18 placement, excluding parents.

86.19 Sec. 29. Minnesota Statutes 2012, section 124D.15, subdivision 3, is amended to read:

86.20 Subd. 3. **Program requirements.** A school readiness program provider must:

86.21 (1) assess each child's cognitive and language skills with a comprehensive child
86.22 assessment instrument when the child enters and again before the child leaves the program
86.23 to ~~inform~~ improve program planning and implementation, communicate with parents, and
86.24 promote kindergarten readiness;

86.25 (2) provide comprehensive program content and intentional instructional practice
86.26 aligned with the state early childhood learning guidelines and kindergarten standards and
86.27 based on early childhood research and professional practice that is focused on children's
86.28 cognitive, social, emotional, and physical skills and development and prepares children
86.29 for the transition to kindergarten, including early literacy and language skills;

86.30 (3) coordinate appropriate kindergarten transition with parents and kindergarten
86.31 teachers;

86.32 (4) involve parents in program planning and decision making;

86.33 (5) coordinate with relevant community-based services;

86.34 (6) cooperate with adult basic education programs and other adult literacy programs;

87.1 (7) ensure staff-child ratios of one-to-ten and maximum group size of 20 children
87.2 with the first staff required to be a teacher; and

87.3 (8) have teachers knowledgeable in early childhood curriculum content, assessment,
87.4 native and English language development programs, and instruction.

87.5 Sec. 30. Minnesota Statutes 2012, section 124D.49, subdivision 3, is amended to read:

87.6 Subd. 3. **Local education and employment transitions systems.** A local education
87.7 and employment transitions partnership must assess the needs of employers, employees,
87.8 and learners, and develop a plan for implementing and achieving the objectives of a local
87.9 or regional education and employment transitions system. The plan must provide for a
87.10 comprehensive local system for assisting learners and workers in making the transition
87.11 from school to work or for retraining in a new vocational area. The objectives of a local
87.12 education and employment transitions system include:

87.13 (1) increasing the effectiveness of the educational programs and curriculum of
87.14 elementary, secondary, and postsecondary schools and the work site in preparing students
87.15 in the skills and knowledge needed to be successful in the workplace;

87.16 (2) implementing learner outcomes for students in grades kindergarten through 12
87.17 designed to introduce the world of work and to explore career opportunities, including
87.18 nontraditional career opportunities;

87.19 (3) eliminating barriers to providing effective integrated applied learning,
87.20 service-learning, or work-based curriculum;

87.21 (4) increasing opportunities to apply academic knowledge and skills, including
87.22 skills needed in the workplace, in local settings which include the school, school-based
87.23 enterprises, postsecondary institutions, the workplace, and the community;

87.24 (5) increasing applied instruction in the attitudes and skills essential for success in
87.25 the workplace, including cooperative working, leadership, problem-solving, English
87.26 language proficiency, and respect for diversity;

87.27 (6) providing staff training for vocational guidance counselors, teachers, and other
87.28 appropriate staff in the importance of preparing learners for the transition to work, and in
87.29 methods of providing instruction that incorporate applied learning, work-based learning,
87.30 English language proficiency, and service-learning experiences;

87.31 (7) identifying and enlisting local and regional employers who can effectively
87.32 provide work-based or service-learning opportunities, including, but not limited to,
87.33 apprenticeships, internships, and mentorships;

87.34 (8) recruiting community and workplace mentors including peers, parents, employers
87.35 and employed individuals from the community, and employers of high school students;

88.1 (9) identifying current and emerging educational, training, native and English
88.2 language development, and employment needs of the area or region, especially within
88.3 industries with potential for job growth;

88.4 (10) improving the coordination and effectiveness of local vocational and job training
88.5 programs, including vocational education, adult basic education, tech prep, apprenticeship,
88.6 service-learning, youth entrepreneur, youth training and employment programs
88.7 administered by the commissioner of employment and economic development, and local
88.8 job training programs under the Workforce Investment Act of 1998, Public Law 105-220;

88.9 (11) identifying and applying for federal, state, local, and private sources of funding
88.10 for vocational or applied learning programs;

88.11 (12) providing students with current information and counseling about career
88.12 opportunities, potential employment, educational opportunities in postsecondary
88.13 institutions, workplaces, and the community, and the skills and knowledge necessary to
88.14 succeed;

88.15 (13) providing educational technology, including interactive television networks
88.16 and other distance learning methods, to ensure access to a broad variety of work-based
88.17 learning opportunities;

88.18 (14) including students with disabilities in a district's vocational or applied learning
88.19 program and ways to serve at-risk learners through collaboration with area learning
88.20 centers under sections 123A.05 to 123A.09, or other alternative programs; and

88.21 (15) providing a warranty to employers, postsecondary education programs, and
88.22 other postsecondary training programs, that learners successfully completing a high school
88.23 work-based or applied learning program will be able to apply the knowledge and work
88.24 skills included in the program outcomes or graduation requirements. The warranty shall
88.25 require education and training programs to continue to work with those learners that need
88.26 additional skill or English language development until they can demonstrate achievement
88.27 of the program outcomes or graduation requirements.

88.28 Sec. 31. Minnesota Statutes 2012, section 124D.52, as amended by Laws 2013, chapter
88.29 116, article 2, section 7, is amended to read:

88.30 **124D.52 ADULT BASIC EDUCATION.**

88.31 Subdivision 1. **Program requirements.** (a) An adult basic education program is a
88.32 day or evening program offered by a district that is for people over 16 years of age who do
88.33 not attend an elementary or secondary school. The program offers academic and English
88.34 language instruction necessary to earn a high school diploma or equivalency certificate.

89.1 (b) Notwithstanding any law to the contrary, a school board or the governing body of
89.2 a consortium offering an adult basic education program may adopt a sliding fee schedule
89.3 based on a family's income, but must waive the fee for participants who are under the age
89.4 of 21 or unable to pay. The fees charged must be designed to enable individuals of all
89.5 socioeconomic levels to participate in the program. A program may charge a security
89.6 deposit to assure return of materials, supplies, and equipment.

89.7 (c) Each approved adult basic education program must develop a memorandum of
89.8 understanding with the local workforce development centers located in the approved
89.9 program's service delivery area. The memorandum of understanding must describe how
89.10 the adult basic education program and the workforce development centers will cooperate
89.11 and coordinate services to provide unduplicated, efficient, and effective services to clients.

89.12 (d) Adult basic education aid must be spent for adult basic education purposes as
89.13 specified in sections 124D.518 to 124D.531.

89.14 (e) A state-approved adult basic education program must count and submit student
89.15 contact hours for a program that offers high school credit toward an adult high school
89.16 diploma according to student eligibility requirements and measures of student progress
89.17 toward work-based competency demonstration requirements and, where appropriate,
89.18 English language proficiency requirements established by the commissioner and posted on
89.19 the department Web site in a readily accessible location and format.

89.20 Subd. 2. **Program approval.** (a) To receive aid under this section, a district, a
89.21 consortium of districts, the Department of Corrections, or a private nonprofit organization
89.22 must submit an application by June 1 describing the program, on a form provided by
89.23 the department. The program must be approved by the commissioner according to the
89.24 following criteria:

89.25 (1) how the needs of different levels of learning and English language proficiency
89.26 will be met;

89.27 (2) for continuing programs, an evaluation of results;

89.28 (3) anticipated number and education level of participants;

89.29 (4) coordination with other resources and services;

89.30 (5) participation in a consortium, if any, and money available from other participants;

89.31 (6) management and program design;

89.32 (7) volunteer training and use of volunteers;

89.33 (8) staff development services;

89.34 (9) program sites and schedules;

89.35 (10) program expenditures that qualify for aid;

90.1 (11) program ability to provide data related to learner outcomes as required by
90.2 law; and

90.3 (12) a copy of the memorandum of understanding described in subdivision 1
90.4 submitted to the commissioner.

90.5 (b) Adult basic education programs may be approved under this subdivision for
90.6 up to five years. Five-year program approval must be granted to an applicant who has
90.7 demonstrated the capacity to:

90.8 (1) offer comprehensive learning opportunities and support service choices
90.9 appropriate for and accessible to adults at all basic skill ~~need~~ and English language levels
90.10 of need;

90.11 (2) provide a participatory and experiential learning approach based on the strengths,
90.12 interests, and needs of each adult, that enables adults with basic skill needs to:

90.13 (i) identify, plan for, and evaluate their own progress toward achieving their defined
90.14 educational and occupational goals;

90.15 (ii) master the basic academic reading, writing, and computational skills, as well
90.16 as the problem-solving, decision making, interpersonal effectiveness, and other life and
90.17 learning skills they need to function effectively in a changing society;

90.18 (iii) locate and be able to use the health, governmental, and social services and
90.19 resources they need to improve their own and their families' lives; and

90.20 (iv) continue their education, if they desire, to at least the level of secondary school
90.21 completion, with the ability to secure and benefit from continuing education that will
90.22 enable them to become more employable, productive, and responsible citizens;

90.23 (3) plan, coordinate, and develop cooperative agreements with community resources
90.24 to address the needs that the adults have for support services, such as transportation, English
90.25 language learning, flexible course scheduling, convenient class locations, and child care;

90.26 (4) collaborate with business, industry, labor unions, and employment-training
90.27 agencies, as well as with family and occupational education providers, to arrange for
90.28 resources and services through which adults can attain economic self-sufficiency;

90.29 (5) provide sensitive and well trained adult education personnel who participate in
90.30 local, regional, and statewide adult basic education staff development events to master
90.31 effective adult learning and teaching techniques;

90.32 (6) participate in regional adult basic education peer program reviews and evaluations;

90.33 (7) submit accurate and timely performance and fiscal reports;

90.34 (8) submit accurate and timely reports related to program outcomes and learner
90.35 follow-up information; and

91.1 (9) spend adult basic education aid on adult basic education purposes only, which
91.2 are specified in sections 124D.518 to 124D.531.

91.3 (c) The commissioner shall require each district to provide notification by February
91.4 1, 2001, of its intent to apply for funds under this section as a single district or as part of
91.5 an identified consortium of districts. A district receiving funds under this section must
91.6 notify the commissioner by February 1 of its intent to change its application status for
91.7 applications due the following June 1.

91.8 Subd. 3. **Accounts; revenue; aid.** (a) Each district, group of districts, or private
91.9 nonprofit organization providing adult basic education programs must establish and
91.10 maintain a reserve account within the community service fund for ~~the receipt~~ receiving
91.11 ~~and disbursement of~~ disbursing all funds related to these programs. All revenue received
91.12 ~~pursuant to~~ under this section must be ~~utilized~~ used solely for the purposes of adult basic
91.13 education programs. State aid must not equal more than 100 percent of the unreimbursed
91.14 expenses of providing these programs, excluding in-kind costs.

91.15 (b) For purposes of paragraph (a), an adult basic education program may include as
91.16 valid expenditures for the previous fiscal year program spending that occurs from July
91.17 1 to September 30 of the following year. A program may carry over a maximum of 20
91.18 percent of its adult basic education aid revenue into the next fiscal year. Program spending
91.19 may only be counted for one fiscal year.

91.20 (c) Notwithstanding section 123A.26 or any other law to the contrary, an adult basic
91.21 education consortium providing an approved adult basic education program may be its own
91.22 fiscal agent and is eligible to receive state-aid payments directly from the commissioner.

91.23 Subd. 4. **English as a second language programs.** Persons may teach English
91.24 as a second language classes ~~conducted~~ at a worksite, if they meet the requirements
91.25 of section 122A.19, subdivision 1, clause (a), regardless of whether they are licensed
91.26 teachers. Persons teaching English as a second language for an approved adult basic
91.27 education program must possess a bachelor's or master's degree in English as a second
91.28 language, applied linguistics, or bilingual education, or a related degree as approved by
91.29 the commissioner.

91.30 Subd. 5. **Basic service level.** A district, or a consortium of districts, with a program
91.31 approved by the commissioner under subdivision 2 must establish, in consultation with the
91.32 commissioner, a basic level of service for every adult basic education site in the district
91.33 or consortium. The basic service level must describe minimum levels of academic and
91.34 English language instruction and support services to be provided at each site. The program
91.35 must set a basic service level that promotes effective learning and student achievement

92.1 with measurable results. Each district or consortium of districts must submit its basic
92.2 service level to the commissioner for approval.

92.3 Subd. 6. **Cooperative English as a second language and adult basic education**
92.4 **programs.** (a) A school district, or adult basic education consortium that receives revenue
92.5 under section 124D.531, may deliver English as a second language, citizenship, or other
92.6 adult education programming in collaboration with community-based and nonprofit
92.7 organizations located within its district or region, and with correctional institutions. The
92.8 organization or correctional institution must have the demonstrated capacity to offer
92.9 education programs for adults. Community-based or nonprofit organizations must meet
92.10 the criteria in paragraph (b), or have prior experience. A community-based or nonprofit
92.11 organization or a correctional institution may be reimbursed for unreimbursed expenses
92.12 as defined in section 124D.518, subdivision 5, for ~~the administration of~~ administering
92.13 English as a second language or adult basic education programs, not to exceed eight
92.14 percent of the total funds provided by a school district or adult basic education consortium.
92.15 The administrative reimbursement for a school district or adult basic education consortium
92.16 that delivers services cooperatively with a community-based or nonprofit organization
92.17 or correctional institution is limited to five percent of the program aid, not to exceed the
92.18 unreimbursed expenses of administering programs delivered by community-based or
92.19 nonprofit organizations or correctional institutions.

92.20 (b) A community-based organization or nonprofit organization that delivers education
92.21 services under this section must demonstrate that it has met the following criteria:

92.22 (1) be legally established as a nonprofit organization;

92.23 (2) have an established system for fiscal accounting and reporting that is consistent
92.24 with the ~~Department of Education's~~ department's adult basic education completion report
92.25 and reporting requirements under section 124D.531;

92.26 (3) require all instructional staff to complete a training course in teaching adult
92.27 learners; and

92.28 (4) develop a learning plan for each student that identifies defined educational and
92.29 occupational goals with measures to evaluate progress.

92.30 Subd. 7. **Performance tracking system.** (a) By July 1, 2000, each approved adult
92.31 basic education program must develop and implement a performance tracking system to
92.32 provide information necessary to comply with federal law and serve as one means of
92.33 assessing the effectiveness of adult basic education programs. For required reporting,
92.34 longitudinal studies, and program improvement, the tracking system must be designed to
92.35 collect data on the following core outcomes for learners, including English learners, who
92.36 have completed participating in the adult basic education program:

93.1 (1) demonstrated improvements in literacy skill levels in reading, writing, speaking
93.2 the English language, numeracy, problem solving, English language acquisition, and
93.3 other literacy skills;

93.4 (2) placement in, retention in, or completion of postsecondary education, training,
93.5 unsubsidized employment, or career advancement;

93.6 (3) receipt of a secondary school diploma or its recognized equivalent; and

93.7 (4) reduction in participation in the diversionary work program, Minnesota family
93.8 investment program, and food support education and training program.

93.9 (b) A district, group of districts, state agency, or private nonprofit organization
93.10 providing an adult basic education program may meet this requirement by developing a
93.11 tracking system based on either or both of the following methodologies:

93.12 (1) conducting a reliable follow-up survey; or

93.13 (2) submitting student information, including Social Security numbers for data
93.14 matching.

93.15 Data related to obtaining employment must be collected in the first quarter following
93.16 program completion or can be collected while the student is enrolled, if known. Data
93.17 related to employment retention must be collected in the third quarter following program
93.18 exit. Data related to any other specified outcome may be collected at any time during a
93.19 program year.

93.20 (c) When a student in a program is requested to provide the student's Social Security
93.21 number, the student must be notified in a written form easily understandable to the student
93.22 that:

93.23 (1) providing the Social Security number is optional and no adverse action may be
93.24 taken against the student if the student chooses not to provide the Social Security number;

93.25 (2) the request is made under section 124D.52, subdivision 7;

93.26 (3) if the student provides the Social Security number, it will be used to assess the
93.27 effectiveness of the program by tracking the student's subsequent career; and

93.28 (4) the Social Security number will be shared with the Department of Education;
93.29 Minnesota State Colleges and Universities; Office of Higher Education; Department of
93.30 Human Services; and Department of Employment and Economic Development in order
93.31 to accomplish the purposes described in paragraph (a) and will not be used for any other
93.32 purpose or reported to any other governmental entities.

93.33 (d) Annually a district, group of districts, state agency, or private nonprofit
93.34 organization providing programs under this section must forward the tracking data
93.35 collected to the Department of Education. For the purposes of longitudinal studies on the
93.36 employment status of former students under this section, the Department of Education

94.1 must forward the Social Security numbers to the Department of Employment and
94.2 Economic Development to electronically match the Social Security numbers of former
94.3 students with wage detail reports filed under section 268.044. The results of data matches
94.4 must, for purposes of this section and consistent with the requirements of the United
94.5 States Code, title 29, section 2871, of the Workforce Investment Act of 1998, be compiled
94.6 in a longitudinal form by the Department of Employment and Economic Development
94.7 and released to the Department of Education in the form of summary data that does not
94.8 identify the individual students. The Department of Education may release this summary
94.9 data. State funding for adult basic education programs must not be based on the number or
94.10 percentage of students who decline to provide their Social Security numbers or on whether
94.11 the program is evaluated by means of a follow-up survey instead of data matching.

94.12 Subd. 8. **Standard high school diploma for adults.** (a) The commissioner shall
94.13 adopt rules for providing a standard adult high school diploma to persons who:

94.14 (1) are not eligible for kindergarten through grade 12 services;

94.15 (2) do not have a high school diploma; and

94.16 (3) successfully complete an adult basic education program of instruction approved
94.17 by the commissioner of education necessary to earn an adult high school diploma.

94.18 (b) Persons participating in an approved adult basic education program of instruction
94.19 must demonstrate the competencies, knowledge, and skills and, where appropriate,
94.20 English language proficiency, sufficient to ensure that postsecondary programs and
94.21 institutions and potential employers regard persons with a standard high school diploma
94.22 and persons with a standard adult high school diploma as equally well prepared and
94.23 qualified graduates. Approved adult basic education programs of instruction under this
94.24 subdivision must issue a standard adult high school diploma to persons who successfully
94.25 demonstrate the competencies, knowledge, and skills required by the program.

94.26 Sec. 32. Minnesota Statutes 2012, section 124D.522, is amended to read:

94.27 **124D.522 ADULT BASIC EDUCATION SUPPLEMENTAL SERVICE**
94.28 **GRANTS.**

94.29 (a) The commissioner, in consultation with the policy review task force under
94.30 section 124D.521, may make grants to nonprofit organizations to provide services that are
94.31 not offered by a district adult basic education program or that are supplemental to either
94.32 the statewide adult basic education program, or a district's adult basic education program.
94.33 The commissioner may make grants for: staff development for adult basic education
94.34 teachers and administrators; training for volunteer tutors; training, services, and materials
94.35 for serving disabled students through adult basic education programs; statewide promotion

95.1 of adult basic education services and programs; development and dissemination of
 95.2 instructional and administrative technology for adult basic education programs; programs
 95.3 which primarily serve communities of color; adult basic education distance learning
 95.4 projects, including television instruction programs; initiatives to accelerate English
 95.5 language acquisition and the achievement of career- and college-ready skills among
 95.6 English learners; and other supplemental services to support the mission of adult basic
 95.7 education and innovative delivery of adult basic education services.

95.8 (b) The commissioner must establish eligibility criteria and grant application
 95.9 procedures. Grants under this section must support services throughout the state, focus
 95.10 on educational results for adult learners, and promote outcome-based achievement
 95.11 through adult basic education programs. Beginning in fiscal year 2002, the commissioner
 95.12 may make grants under this section from the state total adult basic education aid set
 95.13 aside for supplemental service grants under section 124D.531. Up to one-fourth of the
 95.14 appropriation for supplemental service grants must be used for grants for adult basic
 95.15 education programs to encourage and support innovations in adult basic education
 95.16 instruction and service delivery. A grant to a single organization cannot exceed 20 percent
 95.17 of the total supplemental services aid. Nothing in this section prevents an approved adult
 95.18 basic education program from using state or federal aid to purchase supplemental services.

95.19 Sec. 33. Minnesota Statutes 2012, section 124D.59, subdivision 2, is amended to read:

95.20 Subd. 2. **English learner.** (a) "English learner" means a pupil in kindergarten through
 95.21 grade 12 who meets the requirements under subdivision 2a or the following requirements:

95.22 (1) the pupil, as declared by a parent or guardian first learned a language other than
 95.23 English, comes from a home where the language usually spoken is other than English, or
 95.24 usually speaks a language other than English; and

95.25 (2) the pupil is determined by a valid assessment measuring the pupil's English
 95.26 language proficiency and by developmentally appropriate measures, which might include
 95.27 observations, teacher judgment, parent recommendations, or developmentally appropriate
 95.28 assessment instruments, to lack the necessary English skills to participate fully in
 95.29 academic classes taught in English.

95.30 (b) ~~Notwithstanding paragraph (a),~~ A pupil enrolled in a Minnesota public school
 95.31 in grades any grade 4 through 12 who was enrolled in a Minnesota public school on
 95.32 the dates during in the previous school year ~~when a commissioner provided~~ took a
 95.33 commissioner-provided assessment ~~that measures~~ measuring the pupil's emerging
 95.34 academic English ~~was administered~~, shall ~~not~~ be counted as an English learner in
 95.35 calculating English learner pupil units under section 126C.05, subdivision 17, and shall ~~not~~

96.1 generate state English learner aid under section 124D.65, subdivision 5, ~~unless if~~ the pupil
96.2 scored below the state cutoff score or is otherwise counted as a nonproficient participant
96.3 on ~~an~~ the assessment measuring the pupil's emerging academic English provided by the
96.4 ~~commissioner during the previous school year~~ and in the judgment of the pupil's classroom
96.5 teachers, consistent with section 124D.61, clause (1), the pupil is unable to demonstrate
96.6 academic language proficiency in English, including oral academic language, sufficient to
96.7 successfully and fully participate in the general core curriculum in the regular classroom.

96.8 (c) Notwithstanding paragraphs (a) and (b), a pupil in kindergarten through grade
96.9 12 shall not be counted as an English learner in calculating English learner pupil units
96.10 under section 126C.05, subdivision 17, and shall not generate state English learner aid
96.11 under section 124D.65, subdivision 5, if:

96.12 (1) the pupil is not enrolled during the current fiscal year in an educational program
96.13 for English learners ~~in accordance with~~ under sections 124D.58 to 124D.64; or

96.14 (2) the pupil has generated five or more years of average daily membership in
96.15 Minnesota public schools since July 1, 1996.

96.16 Sec. 34. Minnesota Statutes 2012, section 124D.59, is amended by adding a
96.17 subdivision to read:

96.18 Subd. 2a. **English learner; interrupted formal education.** Consistent with
96.19 subdivision 2, an English learner includes an English learner with an interrupted formal
96.20 education who:

96.21 (1) comes from a home where the language usually spoken is other than English, or
96.22 usually speaks a language other than English;

96.23 (2) enters school in the United States after grade 6;

96.24 (3) has at least two years less schooling than the English learner's peers;

96.25 (4) functions at least two years below expected grade level in reading and
96.26 mathematics; and

96.27 (5) may be preliterate in the English learner's native language.

96.28 Sec. 35. Minnesota Statutes 2012, section 124D.895, is amended to read:

96.29 **124D.895 PARENTAL INVOLVEMENT PROGRAMS.**

96.30 Subdivision 1. **Program goals.** The department, in consultation with the state
96.31 curriculum advisory committee, must develop guidelines and model plans for parental
96.32 involvement programs that will:

97.1 (1) engage the interests and talents of parents or guardians in recognizing and
97.2 meeting the emotional, intellectual, native and English language development, and
97.3 physical needs of their school-age children;

97.4 (2) promote healthy self-concepts among parents or guardians and other family
97.5 members;

97.6 (3) offer parents or guardians a chance to share and learn about educational skills,
97.7 techniques, and ideas;

97.8 (4) provide creative learning experiences for parents or guardians and their
97.9 school-age children, including involvement from parents or guardians of color;

97.10 (5) encourage parents to actively participate in their district's curriculum advisory
97.11 committee under section 120B.11 in order to assist the school board in improving
97.12 children's education programs; and

97.13 (6) encourage parents to help in promoting school desegregation/integration under
97.14 sections 124D.861 and 124D.862.

97.15 Subd. 2. **Plan contents.** Model plans for a parental involvement program must
97.16 include at least the following:

97.17 (1) program goals;

97.18 (2) means for achieving program goals;

97.19 (3) methods for informing parents or guardians, in a timely way, about the program;

97.20 (4) strategies for ensuring the full participation of parents or guardians, including
97.21 those parents or guardians who lack literacy skills or whose native language is not English,
97.22 including the involvement from ~~of~~ parents or guardians of color;

97.23 (5) procedures for coordinating the program with kindergarten through grade 12
97.24 curriculum, with parental involvement programs currently available in the community,
97.25 with the ~~process under sections 120B.10 to~~ world's best workforce under section 120B.11,
97.26 and with other education facilities located in the community;

97.27 (6) strategies for training teachers and other school staff to work effectively with
97.28 parents and guardians;

97.29 (7) procedures for parents or guardians and educators to evaluate and report progress
97.30 toward program goals; and

97.31 (8) a mechanism for convening a local community advisory committee composed
97.32 primarily of parents or guardians to advise a district on implementing a parental
97.33 involvement program.

97.34 Subd. 3. **Plan activities.** Activities contained in the model plans must include:

97.35 (1) educational opportunities for families that enhance children's learning and native
97.36 and English language development;

- 98.1 (2) educational programs for parents or guardians on families' educational
98.2 responsibilities and resources;
- 98.3 (3) the hiring, training, and use of parental involvement liaison workers to
98.4 coordinate family involvement activities and to foster linguistic and culturally competent
98.5 communication among families, educators, and students, consistent with the definition of
98.6 culturally competent under section 120B.11, subdivision 1, paragraph (d);
- 98.7 (4) curriculum materials and assistance in implementing home and community-based
98.8 learning activities that reinforce and extend classroom instruction and student motivation;
- 98.9 (5) technical assistance, including training to design and carry out family
98.10 involvement programs;
- 98.11 (6) parent resource centers;
- 98.12 (7) parent training programs and reasonable and necessary expenditures associated
98.13 with parents' attendance at training sessions;
- 98.14 (8) reports to parents on children's progress;
- 98.15 (9) use of parents as classroom volunteers, or as volunteers in before and after
98.16 school programs for school-age children, tutors, and aides;
- 98.17 (10) soliciting parents' suggestions in planning, developing, and implementing
98.18 school programs;
- 98.19 (11) educational programs and opportunities for parents or guardians that are
98.20 multicultural, multilingual, gender fair, and disability sensitive;
- 98.21 (12) involvement in a district's curriculum advisory committee or a school building
98.22 team under section 120B.11; and
- 98.23 (13) opportunities for parent involvement in developing, implementing, or evaluating
98.24 school and district desegregation/integration plans under sections 124D.861 and 124D.862.

98.25 Sec. 36. Minnesota Statutes 2012, section 124D.8955, is amended to read:

98.26 **124D.8955 PARENT AND FAMILY INVOLVEMENT POLICY.**

98.27 (a) In order to promote and support student achievement, a local school board is
98.28 encouraged to formally adopt and implement a parent and family involvement policy that
98.29 promotes and supports:

- 98.30 (1) oral and written communication between home and school that is regular,
98.31 two-way, ~~and~~ meaningful, and in families' native language;
- 98.32 (2) parenting skills;
- 98.33 (3) parents and caregivers who play an integral role in assisting student learning and
98.34 learn about fostering students' academic success and learning at home and school;

99.1 (4) welcoming parents in the school and using networks that support families'
99.2 cultural connections, seeking their support and assistance;

99.3 (5) partnerships with parents in the decisions that affect children and families
99.4 in the schools; and

99.5 (6) providing community resources to strengthen schools, families, and student
99.6 learning.

99.7 (b) A school board that implements a parent and family involvement policy under
99.8 paragraph (a) must convene an advisory committee composed of an equal number of
99.9 resident parents who are not district employees and school staff to make recommendations
99.10 to the board on developing and evaluating the board's parent and family involvement
99.11 policy. If possible, the advisory committee must represent the diversity of the district. The
99.12 advisory committee must consider the district's demographic diversity and barriers to
99.13 parent involvement when developing its recommendations. The advisory committee must
99.14 present its recommendations to the board for board consideration.

99.15 (c) The board must consider research-based best practices when implementing
99.16 this policy.

99.17 (d) The board periodically must review this policy to determine whether it is aligned
99.18 with the most current research findings on parent involvement policies and practices and
99.19 how effective the policy is in supporting increased student achievement.

99.20 (e) Nothing in this section obligates a school district to exceed any parent or family
99.21 involvement requirement under federal law.

99.22 Sec. 37. Minnesota Statutes 2013 Supplement, section 127A.70, subdivision 2, is
99.23 amended to read:

99.24 Subd. 2. **Powers and duties; report.** (a) The partnership shall develop
99.25 recommendations to the governor and the legislature designed to maximize the achievement
99.26 of all P-20 students while promoting the efficient use of state resources, thereby helping
99.27 the state realize the maximum value for its investment. These recommendations may
99.28 include, but are not limited to, strategies, policies, or other actions focused on:

99.29 (1) improving the quality of and access to education at all points from preschool
99.30 through graduate education;

99.31 (2) improving preparation for, and transitions to, postsecondary education and
99.32 work; and

99.33 (3) ensuring educator quality by creating rigorous standards for teacher recruitment,
99.34 teacher preparation, induction and mentoring of beginning teachers, and continuous
99.35 professional development for career teachers.

100.1 (b) Under the direction of the P-20 Education Partnership Statewide Longitudinal
100.2 Education Data System Governance Committee, the Office of Higher Education and the
100.3 Departments of Education and Employment and Economic Development shall improve
100.4 and expand the Statewide Longitudinal Education Data System (SLEDS) to provide
100.5 policymakers, education and workforce leaders, researchers, and members of the public
100.6 with data, research, and reports to:

100.7 (1) expand reporting on students' educational outcomes for diverse student
100.8 populations including at-risk students, children with disabilities, English learners, and
100.9 gifted students, among others, and include formative and summative evaluations based on
100.10 multiple measures of student progress toward career and college readiness;

100.11 (2) evaluate the effectiveness of educational and workforce programs; and

100.12 (3) evaluate the relationship between education and workforce outcomes, consistent
100.13 with section 124D.49.

100.14 To the extent possible under federal and state law, research and reports should be
100.15 accessible to the public on the Internet, and disaggregated by demographic characteristics,
100.16 organization or organization characteristics, and geography.

100.17 It is the intent of the legislature that the Statewide Longitudinal Education Data
100.18 System inform public policy and decision-making. The SLEDS governance committee,
100.19 with assistance from staff of the Office of Higher Education, the Department of Education,
100.20 and the Department of Employment and Economic Development, shall respond to
100.21 legislative committee and agency requests on topics utilizing data made available through
100.22 the Statewide Longitudinal Education Data System as resources permit. Any analysis of
100.23 or report on the data must contain only summary data.

100.24 (c) By January 15 of each year, the partnership shall submit a report to the governor
100.25 and to the chairs and ranking minority members of the legislative committees and
100.26 divisions with jurisdiction over P-20 education policy and finance that summarizes the
100.27 partnership's progress in meeting its goals and identifies the need for any draft legislation
100.28 when necessary to further the goals of the partnership to maximize student achievement
100.29 while promoting efficient use of resources.

100.30 Sec. 38. **REPEALER.**

100.31 Minnesota Statutes 2012, section 122A.19, subdivision 3, is repealed effective the
100.32 day following final enactment.

101.1 **ARTICLE 8**101.2 **INTERSTATE COMPACT ON EDUCATIONAL OPPORTUNITY**
101.3 **FOR MILITARY CHILDREN**

101.4 Section 1. Minnesota Statutes 2012, section 127A.70, subdivision 1, is amended to read:

101.5 Subdivision 1. **Establishment; membership.** (a) A P-20 education partnership is
101.6 established to create a seamless system of education that maximizes achievements of
101.7 all students, from early childhood through elementary, secondary, and postsecondary
101.8 education, while promoting the efficient use of financial and human resources. The
101.9 partnership shall consist of major statewide educational groups or constituencies or
101.10 noneducational statewide organizations with a stated interest in P-20 education. The initial
101.11 membership of the partnership includes the members serving on the Minnesota P-16
101.12 Education Partnership and four legislators appointed as follows:

101.13 (1) one senator from the majority party and one senator from the minority party,
101.14 appointed by the Subcommittee on Committees of the Committee on Rules and
101.15 Administration; and

101.16 (2) one member of the house of representatives appointed by the speaker of the
101.17 house and one member appointed by the minority leader of the house of representatives.

101.18 (b) The chair of the P-16 education partnership must convene the first meeting
101.19 of the P-20 partnership. Prospective members may be nominated by any partnership
101.20 member and new members will be added with the approval of a two-thirds majority of the
101.21 partnership. The partnership will also seek input from nonmember organizations whose
101.22 expertise can help inform the partnership's work.

101.23 (c) Partnership members shall be represented by the chief executives, presidents, or
101.24 other formally designated leaders of their respective organizations, or their designees. The
101.25 partnership shall meet at least three times during each calendar year.

101.26 (d) The P-20 education partnership shall be the state council for the Interstate
101.27 Compact on Educational Opportunity for Military Children under section 127A.85 with
101.28 the chair serving as the compact commissioner responsible for the administration and
101.29 management of the state's participation in the compact. When conducting business
101.30 required under section 127A.85, the P-20 partnership shall include a representative from a
101.31 military installation appointed by the adjutant general of the Minnesota National Guard.

101.32 Sec. 2. [127A.85] INTERSTATE COMPACT ON EDUCATIONAL
101.33 OPPORTUNITY FOR MILITARY CHILDREN.

101.34 **ARTICLE I**

PURPOSE

102.1
102.2 It is the purpose of this compact to remove barriers to educational success imposed on
102.3 children of military families because of frequent moves and deployment of their parents by:

102.4 A. facilitating the timely enrollment of children of military families and ensuring
102.5 that they are not placed at a disadvantage due to difficulty in the transfer of education
102.6 records from the previous school district(s) or variations in entrance/age requirements.

102.7 B. Facilitating the student placement process through which children of military
102.8 families are not disadvantaged by variations in attendance requirements, scheduling,
102.9 sequencing, grading, course content, or assessment.

102.10 C. Facilitating the qualification and eligibility for enrollment, educational programs,
102.11 and participation in extracurricular academic, athletic, and social activities.

102.12 D. Facilitating the on-time graduation of children of military families.

102.13 E. Providing for the promulgation and enforcement of administrative rules
102.14 implementing the provisions of this compact.

102.15 F. Providing for the uniform collection and sharing of information between and
102.16 among member states, schools, and military families under this compact.

102.17 G. Promoting coordination between this compact and other compacts affecting
102.18 military children.

102.19 H. Promoting flexibility and cooperation between the educational system, parents,
102.20 and the student in order to achieve educational success for the student.

ARTICLE II**DEFINITIONS**

102.21
102.22
102.23 As used in this compact, unless the context clearly requires a different construction:

102.24 A. "Active duty" means: full-time duty status in the active uniformed service of the
102.25 United States, including members of the National Guard and Reserve on active duty orders
102.26 pursuant to United States code, title 10, sections 1209 and 1211.

102.27 B. "Children of military families" means: a school-aged child(ren), enrolled in
102.28 kindergarten through grade 12, in the household of an active duty member.

102.29 C. "Compact commissioner" means: the voting representative of each compacting
102.30 state appointed pursuant to Article VIII of this compact.

102.31 D. "Deployment" means: the period one month prior to the service members'
102.32 departure from their home station on military orders through six months after return to
102.33 their home station.

102.34 E. "Education(al) records" means: those official records, files, and data directly
102.35 related to a student and maintained by the school or local education agency, including but
102.36 not limited to records encompassing all the material kept in the student's cumulative

103.1 folder, such as general identifying data, records of attendance and of academic work
103.2 completed, records of achievement and results of evaluative tests, health data, disciplinary
103.3 status, test protocols, and individualized education programs.

103.4 F. "Extracurricular activities" means: a voluntary activity sponsored by the school
103.5 or local education agency or an organization sanctioned by the local education agency.
103.6 Extracurricular activities include, but are not limited to, preparation for and involvement
103.7 in public performances, contests, athletic competitions, demonstrations, displays, and
103.8 club activities.

103.9 G. "Interstate Commission on Educational Opportunity for Military Children"
103.10 means: the commission that is created under Article IX of this compact, which is generally
103.11 referred to as Interstate Commission.

103.12 H. "Local education agency" means: a public authority legally constituted by the
103.13 state as an administrative agency to provide control of and direction for kindergarten
103.14 through grade 12 public educational institutions.

103.15 I. "Member state" means: a state that has enacted this compact.

103.16 J. "Military installation" means: a base, camp, post, station, yard, center, homeport
103.17 facility for any ship, or other activity under the jurisdiction of the Department of Defence,
103.18 including any leased facility, which is located within any of the several states, the District
103.19 of Columbia, the Commonwealth of Puerto Rico, the United States Virgin Islands, Guam,
103.20 American Samoa, the Northern Mariana Islands, and any other United States territory.
103.21 Such term does not include any facility used primarily for civil works, rivers and harbors
103.22 projects, or flood control projects.

103.23 K. "Nonmember state" means: a state that has not enacted this compact.

103.24 L. "Receiving state" means: the state to which a child of a military family is sent,
103.25 brought, or caused to be sent or brought.

103.26 M. "Rule" means: a written statement by the Interstate Commission promulgated
103.27 pursuant to Article XII of this compact that is of general applicability, implements,
103.28 interprets, or prescribes a policy or provision of the Compact, or an organizational,
103.29 procedural, or practice requirement of the Interstate Commission, and has the force
103.30 and effect of statutory law in a member state, and includes the amendment, repeal, or
103.31 suspension of an existing rule.

103.32 N. "Sending state" means: the state from which a child of a military family is sent,
103.33 brought, or caused to be sent or brought.

103.34 O. "State" means: a state of the United States, the District of Columbia, the
103.35 Commonwealth of Puerto Rico, the United States Virgin Islands, Guam, American Samoa,
103.36 the Northern Mariana Islands, and any other United States territory.

104.1 P. "Student" means: the child of a military family for whom the local education
104.2 agency receives public funding and who is formally enrolled in kindergarten through
104.3 grade 12.

104.4 Q. "Transition" means: (1) the formal and physical process of transferring from
104.5 school to school or (2) the period of time in which a student moves from one school in
104.6 the sending state to another school in the receiving state.

104.7 R. "Uniformed service(s)" means: the Army, Navy, Air Force, Marine Corps, Coast
104.8 Guard as well as the commissioned Corps of the National Oceanic and Atmospheric
104.9 Administration, and Public Health Services.

104.10 S. "Veteran" means: a person who served in the uniformed services and who was
104.11 discharged or released there from under conditions other than dishonorable.

104.12 ARTICLE III

104.13 APPLICABILITY

104.14 A. Except as otherwise provided in Section B, this compact shall apply to the
104.15 children of:

104.16 1. active duty members of the uniformed services as defined in this compact,
104.17 including members of the National Guard and Reserve on active duty orders pursuant to
104.18 United States Code, title 10, sections 1209 and 1211;

104.19 2. members or veterans of the uniformed services who are severely injured and
104.20 medically discharged or retired for a period of one year after medical discharge or
104.21 retirement; and

104.22 3. members of the uniformed services who die on active duty or as a result of
104.23 injuries sustained on active duty for a period of one year after death.

104.24 B. The provisions of this interstate compact shall only apply to local education
104.25 agencies as defined in this compact.

104.26 C. The provisions of this compact shall not apply to the children of:

104.27 1. inactive members of the national guard and military reserves;

104.28 2. members of the uniformed services now retired, except as provided in Section A;

104.29 3. veterans of the uniformed services, except as provided in Section A; and

104.30 4. other United States Department of Defense personnel and other federal agency
104.31 civilian and contract employees not defined as active duty members of the uniformed
104.32 services.

104.33 ARTICLE IV

104.34 EDUCATIONAL RECORDS AND ENROLLMENT

104.35 A. Unofficial or "hand-carried" education records - In the event that official
104.36 education records cannot be released to the parents for the purpose of transfer, the

105.1 custodian of the records in the sending state shall prepare and furnish to the parent
105.2 a complete set of unofficial educational records containing uniform information as
105.3 determined by the Interstate Commission. Upon receipt of the unofficial education records
105.4 by a school in the receiving state, the school shall enroll and appropriately place the
105.5 student based on the information provided in the unofficial records pending validation by
105.6 the official records, as quickly as possible.

105.7 B. Official education records/transcripts - Simultaneous with the enrollment and
105.8 conditional placement of the student, the school in the receiving state shall request the
105.9 student's official education record from the school in the sending state. Upon receipt of
105.10 this request, the school in the sending state will process and furnish the official education
105.11 records to the school in the receiving state within ten days or within such time as
105.12 reasonably determined under rules promulgated by the Interstate Commission.

105.13 C. Immunizations - Compacting states shall give 30 days from the date of enrollment
105.14 or within such time as is reasonably determined under the rules promulgated by the
105.15 Interstate Commission, for students to obtain any immunization(s) required by the
105.16 receiving state. For a series of immunizations, initial vaccinations must be obtained within
105.17 30 days or within such time as is reasonably determined under the rules promulgated by
105.18 the Interstate Commission.

105.19 D. Kindergarten and first grade entrance age - Students shall be allowed to continue
105.20 their enrollment at grade level in the receiving state commensurate with their grade level
105.21 (including kindergarten) from a local education agency in the sending state at the time of
105.22 transition, regardless of age. A student that has satisfactorily completed the prerequisite
105.23 grade level in the local education agency in the sending state shall be eligible for enrollment
105.24 in the next highest grade level in the receiving state, regardless of age. A student
105.25 transferring after the start of the school year in the receiving state shall enter the school in
105.26 the receiving state on their validated level from an accredited school in the sending state.

105.27 ARTICLE V

105.28 PLACEMENT AND ATTENDANCE

105.29 A. Course placement - When the student transfers before or during the school year,
105.30 the receiving state school shall initially honor placement of the student in educational
105.31 courses based on the student's enrollment in the sending state school and/or educational
105.32 assessments conducted at the school in the sending state if the courses are offered. Course
105.33 placement includes but is not limited to Honors, International Baccalaureate, Advanced
105.34 Placement, vocational, technical, and career pathways courses. Continuing the student's
105.35 academic program from the previous school and promoting placement in academically and
105.36 career challenging courses should be paramount when considering placement. This does

106.1 not preclude the school in the receiving state from performing subsequent evaluations to
106.2 ensure appropriate placement and continued enrollment of the student in the course(s).

106.3 B. Educational program placement - The receiving state school shall initially honor
106.4 placement of the student in educational programs based on the current educational
106.5 assessments conducted at the school in the sending state or participation/placement in
106.6 like programs in the sending state. Such programs include, but are not limited to: (1)
106.7 gifted and talented programs; and (2) English as a second language (ESL). This does not
106.8 preclude the school in the receiving state from performing subsequent evaluations to
106.9 ensure appropriate placement of the student.

106.10 C. Special education services - (1) in compliance with the federal requirements of the
106.11 Individuals with Disabilities Education Act (IDEA), United States Code Annotated, Title
106.12 20, section 1400 et seq., the receiving state shall initially provide comparable services to a
106.13 student with disabilities based on his/her current Individualized Education Program (IEP);
106.14 and (2) in compliance with the requirements of Section 504 of the Rehabilitation Act,
106.15 United States Code Annotated, title 29, section 794, and with Title II of the Americans
106.16 with Disabilities Act, United States Code Annotated, title 42, sections 12131 to 12165,
106.17 the receiving state shall make reasonable accommodations and modifications to address
106.18 the needs of incoming students with disabilities, subject to an existing 504 or Title II
106.19 Plan, to provide the student with equal access to education. This does not preclude the
106.20 school in the receiving state from performing subsequent evaluations to ensure appropriate
106.21 placement of the student.

106.22 D. Placement flexibility - Local education agency administrative officials shall have
106.23 flexibility in waiving course/program prerequisites, or other preconditions for placement
106.24 in courses/programs offered under the jurisdiction of the local education agency.

106.25 E. Absence as related to deployment activities - A student whose parent or legal
106.26 guardian is an active duty member of the uniformed services, as defined by the compact,
106.27 and has been called to duty for, is on leave from, or immediately returned from deployment
106.28 to a combat zone or combat support posting, shall be granted additional excused absences
106.29 at the discretion of the local education agency superintendent to visit with his or her parent
106.30 or legal guardian relative to such leave or deployment of the parent or guardian.

106.31 ARTICLE VI

106.32 ELIGIBILITY

106.33 A. Eligibility for enrollment

106.34 1. Special power of attorney, relative to the guardianship of a child of a military
106.35 family and executed under applicable law shall be sufficient for the purposes of enrollment
106.36 and all other actions requiring parental participation and consent.

107.1 2. A local education agency shall be prohibited from charging local tuition to a
107.2 transitioning military child placed in the care of a noncustodial parent or other person
107.3 standing in loco parentis who lives in a jurisdiction other than that of the custodial parent.

107.4 3. A transitioning military child, placed in the care of a noncustodial parent or
107.5 other person standing in loco parentis who lives in a jurisdiction other than that of the
107.6 custodial parent, may continue to attend the school in which he/she was enrolled while
107.7 residing with the custodial parent.

107.8 B. Eligibility for extracurricular participation - State and local education
107.9 agencies shall facilitate the opportunity for transitioning military children's inclusion
107.10 in extracurricular activities, regardless of application deadlines, to the extent they are
107.11 otherwise qualified.

107.12 ARTICLE VII

107.13 GRADUATION

107.14 In order to facilitate the on-time graduation of children of military families, states
107.15 and local education agencies shall incorporate the following procedures:

107.16 A. Waiver requirements - Local education agency administrative officials shall waive
107.17 specific courses required for graduation if similar coursework has been satisfactorily
107.18 completed in another local education agency or shall provide reasonable justification for
107.19 denial. Should a waiver not be granted to a student who would qualify to graduate from
107.20 the sending school, the local education agency shall provide an alternative means of
107.21 acquiring required coursework so that graduation may occur on time.

107.22 B. Exit exams - States shall accept: (1) exit or end-of-course exams required for
107.23 graduation from the sending state, (2) national norm-referenced achievement tests, or (3)
107.24 alternative testing, in lieu of testing requirements for graduation in the receiving state.

107.25 In the event the above alternatives cannot be accommodated by the receiving state for a
107.26 student transferring in his or her senior year, then the provisions of Article VII, Section
107.27 C shall apply.

107.28 C. Transfers during senior year - Should a military student transferring at the
107.29 beginning or during his or her senior year be ineligible to graduate from the receiving local
107.30 education agency after all alternatives have been considered, the sending and receiving
107.31 local education agencies shall ensure the receipt of a diploma from the sending local
107.32 education agency, if the student meets the graduation requirements of the sending local
107.33 education agency. In the event that one of the states in question is not a member of this
107.34 compact, the member state shall use best efforts to facilitate the on-time graduation of the
107.35 student in accordance with Sections A and B of this Article.

107.36 ARTICLE VIII

108.1

STATE COORDINATION

108.2 A. Each member state shall, through the creation of a State Council or use of an
108.3 existing body or board, provide for the coordination among its agencies of government,
108.4 local education agencies, and military installations concerning the state's participation in,
108.5 and compliance with, this compact and Interstate Commission activities. While each
108.6 member state may determine the membership of its own State Council, its membership
108.7 must include at least: the state superintendent of education, superintendent of a school
108.8 district with a high concentration of military children, representative from a military
108.9 installation, one representative each from the legislative and executive branches of
108.10 government, and other offices and stakeholder groups the State Council deems appropriate.
108.11 A member state that does not have a school district deemed to contain a high concentration
108.12 of military children may appoint a superintendent from another school district to represent
108.13 local education agencies on the State Council.

108.14 B. The State Council of each member state shall appoint or designate a military
108.15 family education liaison to assist military families and the state in facilitating the
108.16 implementation of this compact.

108.17 C. The compact commissioner responsible for the administration and management
108.18 of the state's participation in the compact shall be appointed by the governor or as
108.19 otherwise determined by each member state.

108.20 D. The compact commissioner and the military family education liaison designated
108.21 herein shall be ex-officio members of the State Council, unless either is already a full
108.22 voting member of the State council.

108.23

ARTICLE IX

108.24

INTERSTATE COMMISSION ON EDUCATIONAL OPPORTUNITY

108.25

FOR MILITARY CHILDREN

108.26 The member states hereby create the "Interstate Commission on Educational
108.27 Opportunity for Military Children." The activities of the Interstate Commission are
108.28 the formation of public policy and are a discretionary state function. The Interstate
108.29 Commission shall:

108.30 A. Be a body corporate and joint agency of the member states and shall have all the
108.31 responsibilities, powers, and duties set forth herein, and such additional powers as may be
108.32 conferred upon it by a subsequent concurrent action of the respective legislatures of the
108.33 member states in accordance with the terms of this compact.

108.34 B. Consist of one Interstate Commission voting representative from each member
108.35 state who shall be that state's compact commissioner.

108.36 1. Each member state represented at a meeting of the Interstate Commission is
108.37 entitled to one vote.

109.1 2. A majority of the total member states shall constitute a quorum for the transaction
109.2 of business, unless a larger quorum is required by the bylaws of the Interstate Commission.

109.3 3. A representative shall not delegate a vote to another member state. In the event
109.4 the compact commissioner is unable to attend a meeting of the Interstate Commission,
109.5 the Governor or State Council may delegate voting authority to another person from
109.6 their state for a specified meeting.

109.7 4. The bylaws may provide for meetings of the Interstate Commission to be
109.8 conducted by telecommunication or electronic communication.

109.9 C. Consist of ex-officio, nonvoting representatives who are members of interested
109.10 organizations. Such ex-officio members, as defined in the bylaws, may include, but not
109.11 be limited to, members of the representative organizations of military family advocates,
109.12 local education agency officials, parent and teacher groups, the United States Department
109.13 of Defense, the Education Commission of the States, the Interstate Agreement on the
109.14 Qualification of Educational Personnel, and other interstate compacts affecting the
109.15 education of children of military members.

109.16 D. Meet at least once each calendar year. The chairperson may call additional
109.17 meetings and, upon the request of a simple majority of the member states, shall call
109.18 additional meetings.

109.19 E. Establish an executive committee, whose members shall include the officers of the
109.20 Interstate Commission and such other members of the Interstate Commission as determined
109.21 by the bylaws. Members of the executive committee shall serve a one-year term. Members
109.22 of the executive committee shall be entitled to one vote each. The executive committee
109.23 shall have the power to act on behalf of the Interstate Commission, with the exception
109.24 of rulemaking, during periods when the Interstate Commission is not in session. The
109.25 executive committee shall oversee the day-to-day activities of the administration of the
109.26 compact, including enforcement and compliance with the provisions of the compact, its
109.27 bylaws and rules, and other such duties as deemed necessary. The U.S. Department of
109.28 Defense, shall serve as an ex-officio, nonvoting member of the executive committee.

109.29 F. Establish bylaws and rules that provide for conditions and procedures under which
109.30 the Interstate Commission shall make its information and official records available to the
109.31 public for inspection or copying. The Interstate Commission may exempt from disclosure
109.32 information or official records to the extent they would adversely affect personal privacy
109.33 rights or proprietary interests.

109.34 G. Public notice shall be given by the Interstate Commission of all meetings and
109.35 all meetings shall be open to the public, except as set forth in the rules or as otherwise
109.36 provided in the compact. The Interstate Commission and its committees may close a

110.1 meeting, or portion thereof, where it determines by two-thirds vote that an open meeting
110.2 would be likely to:

110.3 1. Relate solely to the Interstate Commission's internal personnel practices and
110.4 procedures;

110.5 2. Disclose matters specifically exempted from disclosure by federal and state statute;

110.6 3. Disclose trade secrets or commercial or financial information which is privileged
110.7 or confidential;

110.8 4. Involve accusing a person of a crime, or formally censuring a person;

110.9 5. Disclose information of a personal nature where disclosure would constitute a
110.10 clearly unwarranted invasion of personal privacy;

110.11 6. Disclose investigative records compiled for law enforcement purposes; or

110.12 7. Specifically relate to the Interstate Commission's participation in a civil action
110.13 or other legal proceeding.

110.14 H. For a meeting, or a portion of a meeting, closed pursuant to this provision, the
110.15 Interstate Commission's legal counsel or designee shall certify that the meeting may be
110.16 closed and shall reference each relevant exemptible provision. the Interstate Commission
110.17 shall keep minutes which shall fully and clearly describe all matters discussed in a meeting
110.18 and shall provide a full and accurate summary of actions taken, and the reasons therefore,
110.19 including a description of the views expressed and the record of a roll call vote. All
110.20 documents considered in connection with an action shall be identified in such minutes. All
110.21 minutes and documents of a closed meeting shall remain under seal, subject to release by a
110.22 majority vote of the Interstate Commission.

110.23 I. The Interstate Commission shall collect standardized data concerning the
110.24 educational transition of the children of military families under this compact as directed
110.25 through its rules which shall specify the data to be collected, the means of collection, and
110.26 data exchange and reporting requirements. Such methods of data collection, exchange,
110.27 and reporting shall, insofar as is reasonably possible, conform to current technology and
110.28 coordinate its information functions with the appropriate custodian of records as identified
110.29 in the bylaws and rules.

110.30 J. The Interstate Commission shall create a process that permits military officials,
110.31 education officials, and parents to inform the Interstate Commission if and when there
110.32 are alleged violations of the compact or its rules or when issues subject to the jurisdiction
110.33 of the compact or its rules are not addressed by the state or local education agency. This
110.34 section shall not be construed to create a private right of action against the Interstate
110.35 Commission or any member state.

110.36

ARTICLE X

111.1 **POWERS AND DUTIES OF THE INTERSTATE COMMISSION**

111.2 The Interstate commission shall have the following powers:

111.3 A. To provide for dispute resolution among member states.

111.4 B. To promulgate rules and take all necessary actions to effect the goals, purposes,
111.5 and obligations as enumerated in this compact. The rules shall have the force and effect of
111.6 statutory law and shall be binding in the compact states to the extent and in the manner
111.7 provided in this compact.

111.8 C. To issue, upon request of a member state, advisory opinions concerning the
111.9 meaning or interpretation of the interstate compact, its bylaws, rules, and actions.

111.10 D. To enforce compliance with the compact provisions, the rules promulgated by the
111.11 Interstate Commission, and the bylaws, using all necessary and proper means, including
111.12 but not limited to the use of judicial process.

111.13 E. To establish and maintain offices which shall be located within one or more of
111.14 the member states.

111.15 F. To purchase and maintain insurance and bonds.

111.16 G. To borrow, accept, hire, or contract for services of personnel.

111.17 H. To establish and appoint committees including, but not limited to, an executive
111.18 committee as required by Article IX, Section E, which shall have the power to act on
111.19 behalf of the Interstate Commission in carrying out its powers and duties hereunder.

111.20 I. To elect or appoint such officers, attorneys, employees, agents, or consultants, and
111.21 to fix their compensation, define their duties, and determine their qualifications; and to
111.22 establish the Interstate Commission's personnel policies and programs relating to conflicts
111.23 of interest, rates of compensation, and qualifications of personnel.

111.24 J. To accept any and all donations and grants of money, equipment, supplies,
111.25 materials, and services, and to receive, utilize, and dispose of it.

111.26 K. To lease, purchase, accept contributions or donations of, or otherwise to own,
111.27 hold, improve, or use any property, real, personal, or mixed.

111.28 L. To sell, convey, mortgage, pledge, lease, exchange, abandon, or otherwise dispose
111.29 of any property, real, personal, or mixed.

111.30 M. To establish a budget and make expenditures.

111.31 N. To adopt a seal and bylaws governing the management and operation of the
111.32 Interstate Commission.

111.33 O. To report annually to the legislatures, governors, judiciary, and State Councils
111.34 of the member states concerning the activities of the Interstate Commission during the
111.35 preceding year. Such reports shall also include any recommendations that may have
111.36 been adopted by the Interstate Commission.

112.1 P. To coordinate education, training, and public awareness regarding the compact, its
112.2 implementation and operation for officials and parents involved in such activity.

112.3 Q. To establish uniform standards for the reporting, collecting, and exchanging of
112.4 data.

112.5 R. To maintain corporate books and records in accordance with the bylaws.

112.6 S. To perform such functions as may be necessary or appropriate to achieve the
112.7 purposes of this compact.

112.8 T. To provide for the uniform collection and sharing of information between and
112.9 among member states, schools, and military families under this compact.

112.10 ARTICLE XI

112.11 ORGANIZATION AND OPERATION OF THE INTERSTATE COMMISSION

112.12 A. The Interstate Commission shall, by a majority of the members present and
112.13 voting, within 12 months after the first interstate Commission meeting, adopt bylaws to
112.14 govern its conduct as may be necessary or appropriate to carry out the purposes of the
112.15 compact, including, but not limited to:

112.16 1. Establishing the fiscal year of the Interstate Commission;

112.17 2. Establishing an executive committee, and such other committees as may be
112.18 necessary;

112.19 3. Providing for the establishment of committees and for governing any general or
112.20 specific delegation of authority or function of the Interstate Commission;

112.21 4. Providing reasonable procedures for calling and conducting meetings of the
112.22 Interstate Commission, and ensuring reasonable notice of each such meeting;

112.23 5. Establishing the titles and responsibilities of the officers and staff of the Interstate
112.24 Commission;

112.25 6. Providing a mechanism for concluding the operations of the Interstate
112.26 Commission and the return of surplus funds that may exist upon the termination of the
112.27 compact after the payment and reserving of all of its debts and obligations.

112.28 7. Providing "start up" rules for initial administration of the compact.

112.29 B. The Interstate Commission shall, by a majority of the members, elect annually
112.30 from among its members a chairperson, a vice-chairperson, and a treasurer, each of whom
112.31 shall have such authority and duties as may be specified in the bylaws. The chairperson or,
112.32 in the chairperson's absence or disability, the vice-chairperson, shall preside at all meetings
112.33 of the Interstate Commission. The officers so elected shall serve without compensation or
112.34 remuneration from the Interstate Commission; provided that, subject to the availability
112.35 of budgeted funds, the officers shall be reimbursed for ordinary and necessary costs and

113.1 expenses incurred by them in the performance of their responsibilities as officers of the
113.2 Interstate Commission.

113.3 C. Executive Committee, Officers and Personnel

113.4 1. The executive committee shall have such authority and duties as may be set forth
113.5 in the bylaws, including but not limited to:

113.6 a. Managing the affairs of the Interstate Commission in a manner consistent with the
113.7 bylaws and purposes of the Interstate Commission;

113.8 b. Overseeing an organizational structure within, and appropriate procedures for,
113.9 the Interstate Commission to provide for the creation of rules, operating procedures, and
113.10 administrative and technical support functions; and

113.11 c. Planning, implementing, and coordinating communications and activities with
113.12 other state, federal, and local government organizations in order to advance the goals of
113.13 the Interstate Commission.

113.14 2. The executive committee may, subject to the approval of the Interstate
113.15 Commission, appoint or retain an executive director for such period, upon such terms and
113.16 conditions and for compensation, as the Interstate Commission may deem appropriate.

113.17 The executive director shall serve as secretary to the Interstate Commission, but shall not
113.18 be a member of the Interstate Commission. The executive director shall hire and supervise
113.19 such other persons as may be authorized by the Interstate Commission.

113.20 D. The Interstate Commission's executive director and its employees shall be
113.21 immune from suit and liability, either personally or in their official capacity, for a claim
113.22 for damage to or loss of property or personal injury or other civil liability caused or arising
113.23 out of or relating to an actual or alleged act, error, or omission that occurred, or that
113.24 such person had a reasonable basis for believing occurred, within the scope of Interstate
113.25 Commission employment, duties, or responsibilities; provided that such person shall
113.26 not be protected from suit or liability for damage, loss, injury, or liability caused by the
113.27 intentional or willful and wanton misconduct of such person.

113.28 1. The liability of the Interstate Commission's executive director and employees
113.29 or Interstate Commission representatives, acting within the scope of such person's
113.30 employment or duties for acts, errors, or omissions occurring within such person's state
113.31 may not exceed the limits of liability set forth under the Constitution and laws of that state
113.32 for state officials, employees, and agents. The Interstate Commission is considered to be an
113.33 instrumentality of the states for the purposes of any such action. Nothing in this subsection
113.34 shall be construed to protect such person from suit or liability for damage, loss, injury, or
113.35 liability caused by the intentional or willful and wanton misconduct of such person.

114.1 2. The Interstate Commission shall defend the executive director and its employees
114.2 and, subject to the approval of the attorney general or other appropriate legal counsel of the
114.3 member state represented by an Interstate Commission representative, shall defend such
114.4 Interstate Commission representative in any civil action seeking to impose liability arising
114.5 out of an actual or alleged act, error, or omission that occurred within the scope of Interstate
114.6 Commission employment, duties or responsibilities, or that the defendant had a reasonable
114.7 basis for believing occurred within the scope of the Interstate Commission employment,
114.8 duties, or responsibilities, provided that the actual or alleged act, error, or omission did not
114.9 result from intentional or willful and wanton misconduct on the part of such person.

114.10 3. To the extent not covered by the state involved, member state, or the Interstate
114.11 Commission, the representatives or employees of the Interstate Commission shall be held
114.12 harmless in the amount of a settlement or judgment, including attorney fees and costs,
114.13 obtained against such persons arising out of an actual or alleged act, error, or omission
114.14 that occurred within the scope of the Interstate Commission employment, duties, or
114.15 responsibilities, or that such persons had a reasonable basis for believing occurred within
114.16 the scope of Interstate Commission employment, duties, or responsibilities, provided that
114.17 the actual or alleged act, error, or omission did not result from intentional or willful and
114.18 wanton misconduct on the part of such persons.

114.19 ARTICLE XII

114.20 RULEMAKING FUNCTIONS OF THE INTERSTATE COMMISSION

114.21 A. Rulemaking Authority - The Interstate Commission shall promulgate reasonable
114.22 rules in order to effectively and efficiently achieve the purposes of this Compact.
114.23 Notwithstanding the foregoing, in the event the Interstate Commission exercises its
114.24 rulemaking authority in a manner that is beyond the scope of the purposes of this Act, or
114.25 the powers granted hereunder, then such an action by the Interstate Commission shall be
114.26 invalid and have no force or effect.

114.27 B. Rulemaking Procedure - Rules shall be made pursuant to a rulemaking process
114.28 that substantially conforms to the "Model State Administrative Procedure Act," of 1981
114.29 Act, Uniform Laws Annotated, Vol. 15, p.1 (2000) as amended, as may be appropriate to
114.30 the operations of the Interstate Commission.

114.31 C. Not later than 30 days after a rule is promulgated, any person may file a petition
114.32 for judicial review of the rule; provided that the filing of such a petition shall not stay
114.33 or otherwise prevent the rule from becoming effective unless the court finds that the
114.34 petitioner has a substantial likelihood of success. The court shall give deference to
114.35 the actions of the Interstate Commission consistent with applicable law and shall not

115.1 find the rule to be unlawful if the rule represents a reasonable exercise of the Interstate
115.2 Commission's authority.

115.3 D. If a majority of the legislatures of the compacting states reject a Rule by
115.4 enactment of a statute or resolution in the same manner used to adopt the compact, then
115.5 such rule shall have no further force and effect in any compacting state.

115.6 ARTICLE XIII

115.7 OVERSIGHT, ENFORCEMENT, AND DISPUTE RESOLUTION

115.8 A. Oversight

115.9 1. The executive, legislative, and judicial branches of state government in each
115.10 member state shall enforce this compact and shall take all actions necessary and
115.11 appropriate to effectuate the compact's purposes and intent. The provisions of this compact
115.12 and the rules promulgated hereunder shall have standing as statutory law.

115.13 2. All courts shall take judicial notice of the compact and the rules in any judicial or
115.14 administrative proceeding in a member state pertaining to the subject matter of this compact
115.15 which may affect the powers, responsibilities, or actions of the Interstate Commission.

115.16 3. The Interstate Commission shall be entitled to receive all service of process in any
115.17 such proceeding, and shall have standing to intervene in the proceeding for all purposes.
115.18 Failure to provide service of process to the Interstate Commission shall render a judgment
115.19 or order void as to the Interstate Commission, this compact, or promulgated rules.

115.20 B. Default, Technical Assistance, Suspension, and Termination - If the Interstate
115.21 Commission determines that a member state has defaulted in the performance of its
115.22 obligations or responsibilities under this compact, or the bylaws or promulgated rules,
115.23 the Interstate Commission shall:

115.24 1. Provide written notice to the defaulting state and other member states of the
115.25 nature of the default, the means of curing the default, and any action taken by the Interstate
115.26 Commission. The Interstate Commission shall specify the conditions by which the
115.27 defaulting state must cure its default.

115.28 2. Provide remedial training and specific technical assistance regarding the default.

115.29 3. If the defaulting state fails to cure the default, the defaulting state shall be
115.30 terminated from the compact upon an affirmative vote of a majority of the member states
115.31 and all rights, privileges, and benefits conferred by this compact shall be terminated from
115.32 the effective date of termination. A cure of the default does not relieve the offending state
115.33 of obligations or liabilities incurred during the period of the default.

115.34 4. Suspension or termination of membership in the compact shall be imposed only
115.35 after all other means of securing compliance have been exhausted. Notice of intent
115.36 to suspend or terminate shall be given by the Interstate Commission to the governor,

116.1 the majority and minority leaders of the defaulting state's legislature, and each of the
116.2 member states.

116.3 5. The state which has been suspended or terminated is responsible for all
116.4 assessments, obligations, and liabilities incurred through the effective date of suspension
116.5 or termination, including obligations, the performance of which extends beyond the
116.6 effective date of suspension or termination.

116.7 6. The Interstate Commission shall not bear any costs relating to any state that has
116.8 been found to be in default or which has been suspended or terminated from the compact,
116.9 unless otherwise mutually agreed upon in writing between the Interstate Commission
116.10 and the defaulting state.

116.11 7. The defaulting state may appeal the action of the Interstate Commission by
116.12 petitioning the United States District Court for the District of Columbia or the federal
116.13 district where the Interstate Commission has its principle offices. The prevailing party
116.14 shall be awarded all costs of such litigation including reasonable attorney fees.

116.15 C. Dispute Resolution

116.16 1. The Interstate Commission shall attempt, upon the request of a member state, to
116.17 resolve disputes which are subject to the compact and which may arise among member
116.18 states and between member and nonmember states.

116.19 2. The Interstate Commission shall promulgate a rule providing for both mediation
116.20 and nonbinding dispute resolution for disputes as appropriate.

116.21 D. Enforcement

116.22 1. The Interstate Commission, in the reasonable exercise of its discretion, shall
116.23 enforce the provisions and rules of this compact.

116.24 2. The Interstate Commission may, by majority vote of the members, initiate legal
116.25 action in the United States District Court for the District of Columbia or, at the discretion
116.26 of the Interstate Commission, in the federal district where the Interstate Commission
116.27 has its principal offices, to enforce compliance with the provisions of the compact, its
116.28 promulgated rules and bylaws, against a member state in default. The relief sought may
116.29 include both injunctive relief and damages.

116.30 3. The remedies herein shall not be the exclusive remedies of the Interstate
116.31 Commission. The Interstate Commission may avail itself of any other remedies available
116.32 under state law or the regulation of a profession.

116.33 ARTICLE XIV

116.34 FINANCING OF THE INTERSTATE COMMISSION

116.35 A. The Interstate Commission shall pay, or provide for the payment of the reasonable
116.36 expenses of its establishment, organization, and ongoing activities.

117.1 B. The Interstate Commission may levy on and collect an annual assessment from
117.2 each member state to cover the cost of the operations and activities of the Interstate
117.3 Commission and its staff which must be in a total amount sufficient to cover the Interstate
117.4 Commission's annual budget as approved each year. The aggregate annual assessment
117.5 amount shall be allocated based upon a formula to be determined by the Interstate
117.6 Commission, which shall promulgate a rule binding upon all member states.

117.7 C. The Interstate Commission shall not incur obligations of any kind prior to securing
117.8 the funds adequate to meet the same; nor shall the Interstate Commission pledge the credit
117.9 of any of the member states, except by and with the authority of the member state.

117.10 D. The Interstate Commission shall keep accurate accounts of all receipts and
117.11 disbursements. The receipts and disbursements of the Interstate Commission shall be
117.12 subject to the audit and accounting procedures established under its bylaws. However,
117.13 all receipts and disbursements of funds handled by the Interstate Commission shall be
117.14 audited yearly by a certified or licensed public accountant and the report of the audit shall
117.15 be included in and become part of the annual report of the Interstate Commission.

117.16 ARTICLE XV

117.17 MEMBER STATES, EFFECTIVE DATE, AND AMENDMENT

117.18 A. Any state is eligible to become a member state.

117.19 B. The compact shall become effective and binding upon legislative enactment of the
117.20 compact into law by no less than ten of the states. The effective date shall be no earlier than
117.21 December 1, 2007. Thereafter, it shall become effective and binding as to any other member
117.22 state upon enactment of the compact into law by that state. The governors of nonmember
117.23 states or their designees shall be invited to participate in the activities of the Interstate
117.24 Commission on a nonvoting basis prior to the adoption of the compact by all states.

117.25 C. The Interstate Commission may propose amendments to the compact for
117.26 enactment by the member states. No amendment shall become effective and binding upon
117.27 the Interstate Commission and the member states unless and until it is enacted into law by
117.28 unanimous consent of the member states.

117.29 ARTICLE XVI

117.30 WITHDRAWAL AND DISSOLUTION

117.31 A. Withdrawal

117.32 1. Once effective, the compact shall continue in force and remain binding upon each
117.33 and every member state; provided that a member state may withdraw from the compact
117.34 specifically repealing the statute, which enacted the compact into law.

117.35 2. Withdrawal from this compact shall be by the enactment of a statute repealing
117.36 the same, but shall not take effect until one year after the effective date of such statute

118.1 and until written notice of the withdrawal has been given by the withdrawing state to the
118.2 governor of each other member jurisdiction.

118.3 3. The withdrawing state shall immediately notify the chairperson of the Interstate
118.4 Commission in writing upon the introduction of legislation repealing this compact in the
118.5 withdrawing state. The Interstate Commission shall notify the other member states of the
118.6 withdrawing state's intent to withdraw within 60 days of its receipt thereof.

118.7 4. The withdrawing state is responsible for all assessments, obligations and liabilities
118.8 incurred through the effective date of withdrawal, including obligations, the performance
118.9 of which extend beyond the effective date of withdrawal.

118.10 5. Reinstatement following withdrawal of a member state shall occur upon the
118.11 withdrawing state reenacting the compact or upon such later date as determined by the
118.12 Interstate Commission.

118.13 B. Dissolution of Compact

118.14 1. This compact shall dissolve effective upon the date of the withdrawal or default
118.15 of the member state which reduces the membership in the compact to one member state.

118.16 2. Upon the dissolution of this compact, the compact becomes null and void and shall
118.17 be of no further force or effect, and the business and affairs of the Interstate Commission
118.18 shall be concluded and surplus funds shall be distributed in accordance with the bylaws.

118.19 ARTICLE XVII

118.20 SEVERABILITY AND CONSTRUCTION

118.21 A. The provisions of this compact shall be severable, and if any phrase, clause,
118.22 sentence, or provision is deemed unenforceable, the remaining provisions of the compact
118.23 shall be enforceable.

118.24 B. The provisions of this compact shall be liberally construed to effectuate its
118.25 purposes.

118.26 C. Nothing in this compact shall be construed to prohibit the applicability of other
118.27 interstate compacts to which the states are members.

118.28 ARTICLE XVIII

118.29 BINDING EFFECT OF COMPACT AND OTHER LAWS

118.30 A. Other Laws

118.31 1. Nothing herein prevents the enforcement of any other law of a member state
118.32 that is not inconsistent with this compact.

118.33 2. All member states' laws conflicting with this compact are superseded to the
118.34 extent of the conflict.

118.35 B. Binding Effect of the Compact

119.1 1. All lawful actions of the Interstate Commission, including all rules and bylaws
119.2 promulgated by the Interstate Commission, are binding upon the member states.

119.3 2. All agreements between the Interstate Commission and the member states are
119.4 binding in accordance with their terms.

119.5 3. In the event any provision of this compact exceeds the constitutional limits
119.6 imposed on the legislature of any member state, such provision shall be ineffective to the
119.7 extent of the conflict with the constitutional provision in question in that member state.

119.8 Sec. 3. **MILITARY-CONNECTED YOUTH IDENTIFIER.**

119.9 (a) When a school district updates its enrollment forms in the ordinary course
119.10 of business, the district must include a box on the enrollment form to allow students
119.11 to self-identify as a military-connected youth. For purposes of this section, a
119.12 "military-connected youth" means having an immediate family member, including a
119.13 parent or sibling, who is currently in the armed forces either as a reservist or on active
119.14 duty or has recently retired from the armed forces.

119.15 (b) Data collected under this section is private data on individuals, as defined in
119.16 Minnesota Statutes, section 13.02, subdivision 12, but summary data may be published
119.17 by the Department of Education.

119.18 **ARTICLE 9**

119.19 **UNSESSION CHANGES**

119.20 Section 1. Minnesota Statutes 2012, section 121A.36, is amended to read:

119.21 **121A.36 MOTORCYCLE SAFETY EDUCATION PROGRAM.**

119.22 Subdivision 1. **Established; administration; rules.** A motorcycle safety education
119.23 program is established. The program shall be administered by the ~~commissioners~~
119.24 commissioner of public safety ~~and education~~. The program shall include but is not limited
119.25 to training and coordination of motorcycle safety instructors, motorcycle safety promotion
119.26 and public information, and reimbursement for the cost of approved courses offered by
119.27 schools and organizations.

119.28 Subd. 2. **Reimbursements.** The commissioner of ~~education~~ public safety, to the
119.29 extent that funds are available, may reimburse schools and other approved organizations
119.30 offering approved motorcycle safety education courses for up to 50 percent of the actual
119.31 cost of the courses. If sufficient funds are not available, reimbursements shall be prorated.
119.32 The commissioner may conduct audits and otherwise examine the records and accounts of
119.33 schools and approved organizations offering the courses to insure the accuracy of the costs.

120.1 Subd. 3. **Appropriation.** (a) All funds in the motorcycle safety fund created by
120.2 section 171.06, subdivision 2a, are hereby annually appropriated to the commissioner of
120.3 public safety to carry out the purposes of subdivisions 1 and 2. ~~The commissioner of~~
120.4 ~~public safety may make grants from the fund to the commissioner of education at such~~
120.5 ~~times and in such amounts as the commissioner deems necessary to carry out the purposes~~
120.6 ~~of subdivisions 1 and 2.~~

120.7 (b) Of the money appropriated under paragraph (a):

120.8 (1) not more than five percent shall be expended to defray the administrative costs
120.9 of carrying out the purposes of subdivisions 1 and 2; and

120.10 (2) not more than 65 percent shall be expended for the combined purpose of
120.11 training and coordinating the activities of motorcycle safety instructors and making
120.12 reimbursements to schools and other approved organizations.

120.13 Sec. 2. Minnesota Statutes 2012, section 124D.141, subdivision 2, is amended to read:

120.14 Subd. 2. **Additional duties.** The following duties are added to those assigned
120.15 to the council under federal law:

120.16 (1) make recommendations on the most efficient and effective way to leverage state
120.17 and federal funding streams for early childhood and child care programs;

120.18 ~~(2) make recommendations on how to coordinate or colocate early childhood and~~
120.19 ~~child care programs in one state Office of Early Learning. The council shall establish a task~~
120.20 ~~force to develop these recommendations. The task force shall include two nonexecutive~~
120.21 ~~branch or nonlegislative branch representatives from the council; six representatives from~~
120.22 ~~the early childhood caucus; two representatives each from the Departments of Education,~~
120.23 ~~Human Services, and Health; one representative each from a local public health agency, a~~
120.24 ~~local county human services agency, and a school district; and two representatives from~~
120.25 ~~the private nonprofit organizations that support early childhood programs in Minnesota.~~
120.26 ~~In developing recommendations in coordination with existing efforts of the council, the~~
120.27 ~~task force shall consider how to:~~

120.28 ~~(i) consolidate and coordinate resources and public funding streams for early~~
120.29 ~~childhood education and child care, and ensure the accountability and coordinated~~
120.30 ~~development of all early childhood education and child care services to children from birth~~
120.31 ~~to kindergarten entrance;~~

120.32 ~~(ii) create a seamless transition from early childhood programs to kindergarten;~~

120.33 ~~(iii) encourage family choice by ensuring a mixed system of high-quality public and~~
120.34 ~~private programs, with local points of entry, staffed by well-qualified professionals;~~

- 121.1 ~~(iv) ensure parents a decisive role in the planning, operation, and evaluation of~~
121.2 ~~programs that aid families in the care of children;~~
- 121.3 ~~(v) provide consumer education and accessibility to early childhood education~~
121.4 ~~and child care resources;~~
- 121.5 ~~(vi) advance the quality of early childhood education and child care programs in order~~
121.6 ~~to support the healthy development of children and preparation for their success in school;~~
- 121.7 ~~(vii) develop a seamless service delivery system with local points of entry for early~~
121.8 ~~childhood education and child care programs administered by local, state, and federal~~
121.9 ~~agencies;~~
- 121.10 ~~(viii) ensure effective collaboration between state and local child welfare programs~~
121.11 ~~and early childhood mental health programs and the Office of Early Learning;~~
- 121.12 ~~(ix) develop and manage an effective data collection system to support the necessary~~
121.13 ~~functions of a coordinated system of early childhood education and child care in order to~~
121.14 ~~enable accurate evaluation of its impact;~~
- 121.15 ~~(x) respect and be sensitive to family values and cultural heritage; and~~
- 121.16 ~~(xi) establish the administrative framework for and promote the development of~~
121.17 ~~early childhood education and child care services in order to provide that these services,~~
121.18 ~~staffed by well-qualified professionals, are available in every community for all families~~
121.19 ~~that express a need for them.~~
- 121.20 ~~In addition, the task force must consider the following responsibilities for transfer~~
121.21 ~~to the Office of Early Learning:~~
- 121.22 ~~(A) responsibilities of the commissioner of education for early childhood education~~
121.23 ~~programs and financing under sections 119A.50 to 119A.535, 121A.16 to 121A.19, and~~
121.24 ~~124D.129 to 124D.2211;~~
- 121.25 ~~(B) responsibilities of the commissioner of human services for child care assistance,~~
121.26 ~~child care development, and early childhood learning and child protection facilities~~
121.27 ~~programs and financing under chapter 119B and section 256E.37; and~~
- 121.28 ~~(C) responsibilities of the commissioner of health for family home visiting programs~~
121.29 ~~and financing under section 145A.17.~~
- 121.30 ~~Any costs incurred by the council in making these recommendations must be paid~~
121.31 ~~from private funds. If no private funds are received, the council must not proceed in~~
121.32 ~~making these recommendations. The council must report its recommendations to the~~
121.33 ~~governor and the legislature by January 15, 2011;~~
- 121.34 ~~(3) (2) review program evaluations regarding high-quality early childhood programs;~~
121.35 ~~and~~

122.1 ~~(4)~~ (3) make recommendations to the governor and legislature, including proposed
122.2 legislation on how to most effectively create a high-quality early childhood system in
122.3 Minnesota in order to improve the educational outcomes of children so that all children
122.4 are school-ready by 2020;

122.5 ~~(5) make recommendations to the governor and the legislature by March 1, 2011, on~~
122.6 ~~the creation and implementation of a statewide school readiness report card to monitor~~
122.7 ~~progress toward the goal of having all children ready for kindergarten by the year 2020.~~
122.8 ~~The recommendations shall include what should be measured including both children and~~
122.9 ~~system indicators, what benchmarks should be established to measure state progress~~
122.10 ~~toward the goal, and how frequently the report card should be published. In making their~~
122.11 ~~recommendations, the council shall consider the indicators and strategies for Minnesota's~~
122.12 ~~early childhood system report, the Minnesota school readiness study, developmental~~
122.13 ~~assessment at kindergarten entrance, and the work of the council's accountability~~
122.14 ~~committee. Any costs incurred by the council in making these recommendations must be~~
122.15 ~~paid from private funds. If no private funds are received, the council must not proceed in~~
122.16 ~~making these recommendations; and~~

122.17 ~~(6) make recommendations to the governor and the legislature on how to screen~~
122.18 ~~earlier and comprehensively assess children for school readiness in order to provide~~
122.19 ~~increased early interventions and increase the number of children ready for kindergarten.~~
122.20 ~~In formulating their recommendations, the council shall consider (i) ways to interface~~
122.21 ~~with parents of children who are not participating in early childhood education or care~~
122.22 ~~programs, (ii) ways to interface with family child care providers, child care centers, and~~
122.23 ~~school-based early childhood and Head Start programs, (iii) if there are age-appropriate~~
122.24 ~~and culturally sensitive screening and assessment tools for three-, four-, and five-year-olds,~~
122.25 ~~(iv) the role of the medical community in screening, (v) incentives for parents to have~~
122.26 ~~children screened at an earlier age, (vi) incentives for early education and care providers~~
122.27 ~~to comprehensively assess children in order to improve instructional practice, (vii) how to~~
122.28 ~~phase in increases in screening and assessment over time, (viii) how the screening and~~
122.29 ~~assessment data will be collected and used and who will have access to the data, (ix)~~
122.30 ~~how to monitor progress toward the goal of having 50 percent of three-year-old children~~
122.31 ~~screened and 50 percent of entering kindergarteners assessed for school readiness by 2015~~
122.32 ~~and 100 percent of three-year-old children screened and entering kindergarteners assessed~~
122.33 ~~for school readiness by 2020, and (x) costs to meet these benchmarks. The council shall~~
122.34 ~~consider the screening instruments and comprehensive assessment tools used in Minnesota~~
122.35 ~~early childhood education and care programs and kindergarten. The council may survey~~
122.36 ~~early childhood education and care programs in the state to determine the screening and~~

123.1 ~~assessment tools being used or rely on previously collected survey data, if available. For~~
123.2 ~~purposes of this subdivision, "school readiness" is defined as the child's skills, knowledge,~~
123.3 ~~and behaviors at kindergarten entrance in these areas of child development: social;~~
123.4 ~~self-regulation; cognitive, including language, literacy, and mathematical thinking; and~~
123.5 ~~physical. For purposes of this subdivision, "screening" is defined as the activities used to~~
123.6 ~~identify a child who may need further evaluation to determine delay in development or~~
123.7 ~~disability. For purposes of this subdivision, "assessment" is defined as the activities used~~
123.8 ~~to determine a child's level of performance in order to promote the child's learning and~~
123.9 ~~development. Work on this duty will begin in fiscal year 2012. Any costs incurred by the~~
123.10 ~~council in making these recommendations must be paid from private funds. If no private~~
123.11 ~~funds are received, the council must not proceed in making these recommendations. The~~
123.12 ~~council must report its recommendations to the governor and legislature by January 15,~~
123.13 ~~2013, with an interim report on February 15, 2011.~~

123.14 Sec. 3. Minnesota Statutes 2012, section 124D.141, subdivision 3, is amended to read:

123.15 Subd. 3. **Administration.** ~~An amount up to \$12,500 from federal child care and~~
123.16 ~~development fund administrative funds and up to \$12,500 from prekindergarten exploratory~~
123.17 ~~project funds appropriated under Laws 2007, chapter 147, article 19, section 3, may be~~
123.18 ~~used to reimburse the parents on the council and for technical assistance and administrative~~
123.19 ~~support of the State Advisory Council on Early Childhood Education and Care. This~~
123.20 ~~funding stream is for fiscal year 2009. The council may pursue additional funds from state,~~
123.21 ~~federal, and private sources. If additional operational funds are received, the council must~~
123.22 ~~reduce the amount of prekindergarten exploratory project funds used in an equal amount.~~

123.23 Sec. 4. **REVISOR'S INSTRUCTION.**

123.24 The revisor of statutes shall renumber Minnesota Statutes, section 121A.36, as
123.25 section 171.335. The revisor of statutes shall also make cross-reference changes in
123.26 Minnesota Statutes and Minnesota Rules consistent with the renumbering.

123.27 Sec. 5. **REPEALER.**

123.28 Minnesota Statutes 2012, sections 119A.04, subdivision 3; 120A.30; 120B.19;
123.29 120B.24; 121A.17, subdivision 9; 122A.52; 122A.53; 122A.61, subdivision 2; 122A.71;
123.30 124D.24; 124D.25; 124D.26; 124D.27; 124D.28; 124D.29; 124D.30; and 124D.31, are
123.31 repealed.

124.1 **ARTICLE 10**124.2 **UNSESSION CONFORMING CHANGES**

124.3 Section 1. Minnesota Statutes 2012, section 120A.22, subdivision 2, is amended to read:

124.4 Subd. 2. **Applicability.** This section and sections 120A.24; 120A.26; ~~120A.30;~~
124.5 120A.32; and 120A.34 apply only to a child required to receive instruction according to
124.6 subdivision 5 and to instruction that is intended to fulfill that requirement.

124.7 Sec. 2. Minnesota Statutes 2012, section 120A.32, is amended to read:

124.8 **120A.32 OFFICERS, TEACHERS; NEGLIGENCE OF DUTY; PENALTY.**

124.9 Any school officer, truant officer, public or nonpublic school teacher, principal,
124.10 district superintendent, or person providing instruction other than a parent refusing,
124.11 willfully failing, or neglecting to perform any duty imposed by sections 120A.22 to
124.12 ~~120A.30~~ 120A.26, 120A.35, 120A.41, and 123B.03 is guilty of a misdemeanor. All
124.13 persons found guilty shall be punished for each offense by a fine of not more than \$10 or
124.14 by imprisonment for not more than ten days. All fines, when collected, shall be paid into
124.15 the county treasury for the benefit of the school district in which the offense is committed.

124.16 Sec. 3. Minnesota Statutes 2012, section 122A.09, subdivision 7, is amended to read:

124.17 Subd. 7. **Commissioner's assistance; board money.** The commissioner shall
124.18 provide all necessary materials and assistance for the transaction of the business of the
124.19 Board of Teaching and all moneys received by the Board of Teaching shall be paid into
124.20 the state treasury as provided by law. The expenses of administering sections 122A.01,
124.21 122A.05 to 122A.09, 122A.15, 122A.16, 122A.17, 122A.18, 122A.20, 122A.21, 122A.22,
124.22 122A.23, 122A.26, 122A.30, 122A.40, 122A.41, 122A.42, 122A.45, 122A.49, ~~122A.52,~~
124.23 ~~122A.53,~~ 122A.54, 122A.55, 122A.56, 122A.57, and 122A.58 which are incurred by the
124.24 Board of Teaching shall be paid for from appropriations made to the Board of Teaching.

124.25 Sec. 4. Minnesota Statutes 2012, section 127A.41, subdivision 7, is amended to read:

124.26 Subd. 7. **Schedule adjustments.** (a) It is the intention of the legislature to encourage
124.27 efficient and effective use of staff and facilities by districts. Districts are encouraged to
124.28 consider both cost and energy saving measures.

124.29 (b) Any district operating a program pursuant to sections 124D.12 to 124D.127; or
124.30 124D.128, ~~or 124D.25 to 124D.29,~~ or operating a commissioner-designated area learning
124.31 center program under section 123A.09, or that otherwise receives the approval of the

- 125.1 commissioner to operate its instructional program to avoid an aid reduction in any year,
- 125.2 may adjust the annual school schedule for that program throughout the calendar year.