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State of Minnesota  
**HOUSE OF REPRESENTATIVES**

EIGHTY-EIGHTH SESSION

**H. F. No. 2397**

02/27/2014 Authored by Mariani and Metsa

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

03/24/2014 Adoption of Report: Amended and re-referred to the Committee on Education Finance

1.1 A bill for an act  
1.2 relating to education; 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, English learners and language  
1.5 proficiency, special programs, nutrition, libraries, unsession and conforming  
1.6 changes; amending Minnesota Statutes 2012, sections 13.32, subdivision 6;  
1.7 119A.535; 120A.22, subdivision 2; 120A.32; 120B.022; 120B.12; 120B.35,  
1.8 subdivision 4; 121A.36; 121A.582, subdivision 1; 122A.06, subdivision 4;  
1.9 122A.09, subdivision 7; 122A.14, subdivisions 2, 3; 122A.18, subdivisions 2a, 4;  
1.10 122A.19; 122A.40, subdivisions 5, 13; 122A.41, subdivisions 2, 6; 122A.413,  
1.11 subdivision 2; 122A.414, subdivision 2; 122A.48, subdivision 3; 122A.60,  
1.12 subdivisions 1a, 2, 3; 122A.68, subdivision 3; 122A.74; 123A.06, subdivision  
1.13 2; 123B.04, subdivision 4; 123B.147, subdivision 3; 123B.88, subdivision 1;  
1.14 124D.03, subdivisions 3, 4, 5, 6, by adding a subdivision; 124D.08, by adding  
1.15 a subdivision; 124D.09, subdivision 9; 124D.111, subdivision 3; 124D.13,  
1.16 subdivision 2; 124D.141, subdivision 3; 124D.15, subdivision 3; 124D.49,  
1.17 subdivision 3; 124D.52, as amended; 124D.522; 124D.59, subdivision 2, by  
1.18 adding a subdivision; 124D.895; 124D.8955; 124D.896; 125A.023, subdivisions  
1.19 3, 4; 125A.027, subdivisions 1, 4; 125A.03; 125A.08; 125A.22; 127A.065;  
1.20 127A.41, subdivision 7; 127A.70, by adding a subdivision; 128C.02, subdivision  
1.21 5; 134.355, subdivision 8; 260D.06, subdivision 2; Minnesota Statutes 2013  
1.22 Supplement, sections 120A.22, subdivision 5; 120B.021, subdivision 4; 120B.11;  
1.23 120B.115; 120B.125; 120B.30, subdivision 1; 120B.35, subdivision 3; 120B.36,  
1.24 subdivision 1; 122A.09, subdivision 4; 122A.18, subdivision 2; 122A.23,  
1.25 subdivision 2; 122A.40, subdivision 8; 122A.41, subdivision 5; 124D.10,  
1.26 subdivisions 1, 3, 4, 6, 6a, 8, 9, 17a, 17b; 124D.11, subdivision 4; 124D.165,  
1.27 subdivisions 2, 4; 124D.4531, subdivisions 1, 3, 3a; 124D.52, subdivision  
1.28 8; 124D.861, subdivision 3; 125A.0942; 125A.30; 127A.70, subdivision 2;  
1.29 626.556, subdivision 2; Laws 2011, First Special Session chapter 11, article 2,  
1.30 section 12; Laws 2012, chapter 263, section 1; Laws 2013, chapter 116, article 5,  
1.31 section 31, subdivision 8; proposing coding for new law in Minnesota Statutes,  
1.32 chapters 123A; 124D; repealing Minnesota Statutes 2012, sections 119A.04,  
1.33 subdivision 3; 119A.08; 120A.30; 120B.19; 120B.24; 121A.17, subdivision 9;  
1.34 122A.19, subdivision 3; 122A.52; 122A.53; 122A.61, subdivision 2; 123B.15;  
1.35 123B.16; 123B.17; 123B.18; 123B.26; 123B.27; 124D.24; 124D.25; 124D.26;  
1.36 124D.27; 124D.28; 124D.29; 124D.30; 124D.31; 125A.027, subdivision 3.

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

## ARTICLE 1

## ENGLISH LEARNERS AND WORLD LANGUAGE PROFICIENCY

Section 1. Minnesota Statutes 2012, section 119A.535, is amended to read:

**119A.535 APPLICATION REQUIREMENTS.**

Eligible Head Start organizations must submit a plan to the department for approval on a form and in the manner prescribed by the commissioner. The plan must include:

(1) the number of low-income children and families the program will be able to serve;

(2) a description of the program design and service delivery area which meets the needs of and encourages access by low-income working families;

(3) a program design that ensures fair and equitable access to Head Start services for all populations and parts of the service area;

(4) a plan for providing Head Start services in conjunction with full-day child care programs to minimize child transitions, increase program intensity and duration, and improve child and family outcomes as required in section 119A.5411; and

(5) identification of regular Head Start, early Head Start, full-day services identified in section 119A.5411, and innovative services based upon demonstrated needs to be provided; and

(6) evidence parents of English learners are provided with oral or written information to monitor the program's impact on their children's English language development, know whether their children are progressing in developing their English proficiency, and, where practicable, their native language proficiency, and actively engage with their children in developing their English and native language proficiency.

Sec. 2. Minnesota Statutes 2012, section 120B.022, is amended to read:

**120B.022 ELECTIVE STANDARDS.**

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

(1) career and technical education; and

(2) world languages.

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

Subd. 1a. **Foreign language and culture; proficiency certificates.** (b) (a) World languages teachers and other school staff should develop and implement world languages programs that acknowledge and reinforce the language proficiency and cultural awareness that non-English language speakers already possess, and encourage students' proficiency in multiple world languages. Programs under this ~~paragraph~~ section must encompass

3.1 indigenous American Indian languages and cultures, among other world languages and  
3.2 cultures. The department shall consult with postsecondary institutions in developing  
3.3 related professional development opportunities for purposes of this section.

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

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

3.14 (d) The Minnesota World Language Proficiency High Achievement Certificate  
3.15 recognizes students who demonstrate listening, speaking, reading, and writing language  
3.16 skills at the American Council on the Teaching of Foreign Languages' Pre-Advanced level  
3.17 for K-12 learners on a valid and reliable assessment tool. For languages listed as Category  
3.18 3 by the United States Foreign Service Institute or Category 4 by the United States  
3.19 Defense Language Institute, the standard is Pre-Advanced for listening and speaking and  
3.20 Intermediate-Mid for reading and writing.

3.21 Subd. 1b. State bilingual and multilingual seals. (a) Consistent with efforts to  
3.22 strive for the world's best workforce under sections 120B.11 and 124D.10, subdivision 8,  
3.23 paragraph (u), and close the academic achievement and opportunity gap under sections  
3.24 124D.861 and 124D.862, voluntary state bilingual and multilingual seals are established  
3.25 to recognize high school graduates who demonstrate level 4 functional native proficiency  
3.26 in speaking and reading on either the Foreign Services Institute language proficiency tests  
3.27 or on equivalent valid and reliable assessments in one or more languages in addition to  
3.28 English. American Sign Language is a language other than English for purposes of this  
3.29 subdivision and a world language for purposes of subdivision 1a.

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

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

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

3.35 (c) Consistent with this subdivision, a high school graduate who demonstrates  
3.36 functional native proficiency in one language in addition to English is eligible to receive

4.1 the state bilingual seal. A high school graduate who demonstrates functional native  
4.2 proficiency in more than one language in addition to English is eligible to receive the  
4.3 state multilingual seal.

4.4 (d) School districts and charter schools, in consultation with regional centers  
4.5 of excellence under section 120B.115, must give students periodic opportunities to  
4.6 demonstrate their level of proficiency in speaking and reading in a language in addition  
4.7 to English. Where valid and reliable assessments are unavailable, a school district or  
4.8 charter school may rely on a licensed foreign language immersion teacher or a nonlicensed  
4.9 community expert under section 122A.25 to assess a student's level of foreign, heritage, or  
4.10 indigenous language proficiency under this section. School districts and charter schools  
4.11 must maintain appropriate records to identify high school graduates eligible to receive the  
4.12 state bilingual or multilingual seal. The school district or charter school must affix the  
4.13 appropriate seal to the transcript of each high school graduate who meets the requirements  
4.14 of this subdivision and may affix the seal to the student's diploma. A school district or  
4.15 charter school must not charge the high school graduate a fee for this seal.

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

4.19 (f) A school district or charter school may award community service credit to a  
4.20 student who demonstrates level 4 functional native proficiency in speaking and reading  
4.21 in a language other than English and who participates in community service activities  
4.22 that are integrated into the curriculum, involve the participation of teachers, and support  
4.23 biliteracy in the school or local community.

4.24 (g) The commissioner must develop a Web page for the electronic delivery of these  
4.25 seals. The commissioner must list on the Web page those assessments that are equivalent  
4.26 to the Foreign Services Institute language proficiency tests and make language proficiency  
4.27 tests and equivalent assessments under this section available to school districts and charter  
4.28 schools at no more than actual cost.

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

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

5.1 **EFFECTIVE DATE.** This section is effective the day following final enactment  
5.2 and applies to the 2014-2015 school year and later, except subdivision 1b, paragraph  
5.3 (h), is effective for students enrolling in a MnSCU system college or university in the  
5.4 2015-2016 school year or later.

5.5 Sec. 3. Minnesota Statutes 2013 Supplement, section 120B.11, is amended to read:

5.6 **120B.11 SCHOOL DISTRICT PROCESS FOR REVIEWING CURRICULUM,**  
5.7 **INSTRUCTION, AND STUDENT ACHIEVEMENT; STRIVING FOR THE**  
5.8 **WORLD'S BEST WORKFORCE.**

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

5.11 (a) "Instruction" means methods of providing learning experiences that enable a  
5.12 student to meet state and district academic standards and graduation requirements.

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

5.16 (c) "World's best workforce" means striving to: meet school readiness goals; have  
5.17 all third grade students achieve grade-level literacy; close the academic achievement gap  
5.18 among all racial and ethnic groups of students and between students living in poverty and  
5.19 students not living in poverty; have all students attain career and college readiness before  
5.20 graduating from high school; and have all students graduate from high school.

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

5.23 (1) student performance on the National ~~Association~~ Assessment of Education  
5.24 Progress;

5.25 (2) the size of the academic achievement gap, rigorous course taking under section  
5.26 120B.35, subdivision 3, paragraph (c), clause (2), and enrichment experiences by student  
5.27 subgroup;

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

5.29 (4) high school graduation rates; and

5.30 (5) career and college readiness under section 120B.30, subdivision 1.

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

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

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

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

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

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

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

6.19 Subd. 3. **District advisory committee.** Each school board shall establish an  
6.20 advisory committee to ensure active community participation in all phases of planning and  
6.21 improving the instruction and curriculum affecting state and district academic standards,  
6.22 consistent with subdivision 2. A district advisory committee, to the extent possible,  
6.23 shall reflect the diversity of the district and its school sites, ~~and shall~~ include teachers,  
6.24 parents, support staff, students, and other community residents, and provide translation  
6.25 to the extent appropriate and practicable. The district advisory committee shall pursue  
6.26 community support to accelerate the academic and native literacy and achievement of  
6.27 English learners with varied needs, from young children to adults, consistent with section  
6.28 124D.59, subdivisions 2 and 2a. The district may establish site teams as subcommittees  
6.29 of the district advisory committee under subdivision 4. The district advisory committee  
6.30 shall recommend to the school board rigorous academic standards, student achievement  
6.31 goals and measures consistent with subdivision 1a and sections 120B.022, ~~subdivision~~  
6.32 ~~1, paragraphs (b) and (c)~~ subdivisions 1a and 1b, and 120B.35, district assessments, and  
6.33 program evaluations. School sites may expand upon district evaluations of instruction,  
6.34 curriculum, assessments, or programs. Whenever possible, parents and other community  
6.35 residents shall comprise at least two-thirds of advisory committee members.

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

7.8 Subd. 5. **Report.** Consistent with requirements for school performance reports  
7.9 under section 120B.36, subdivision 1, the school board shall publish a report in the local  
7.10 newspaper with the largest circulation in the district, by mail, or by electronic means on  
7.11 the district Web site. The school board shall hold an annual public meeting to review,  
7.12 and revise where appropriate, student achievement goals, local assessment outcomes,  
7.13 plans, strategies, and practices for improving curriculum and instruction and cultural  
7.14 competency, and to review district success in realizing the previously adopted student  
7.15 achievement goals and related benchmarks and the improvement plans leading to the  
7.16 world's best workforce. The school board must transmit an electronic summary of its  
7.17 report to the commissioner in the form and manner the commissioner determines.

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

7.22 Subd. 9. **Annual evaluation.** (a) The commissioner must identify effective  
7.23 strategies, practices, and use of resources by districts and school sites in striving for the  
7.24 world's best workforce. The commissioner must assist districts and sites throughout the  
7.25 state in implementing these effective strategies, practices, and use of resources.

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

8.1 Sec. 4. Minnesota Statutes 2013 Supplement, section 120B.115, is amended to read:

8.2 **120B.115 REGIONAL CENTERS OF EXCELLENCE.**

8.3 (a) Regional centers of excellence are established to assist and support school  
8.4 boards, school districts, school sites, and charter schools in implementing research-based  
8.5 interventions and practices to increase the students' achievement within a region.  
8.6 The centers must develop partnerships with local and regional service cooperatives,  
8.7 postsecondary institutions, integrated school districts, the department, children's mental  
8.8 health providers, or other local or regional entities interested in providing a cohesive  
8.9 and consistent regional delivery system that serves all schools equitably. Centers must  
8.10 assist school districts, school sites, and charter schools in developing similar partnerships.  
8.11 Center support may include assisting school districts, school sites, and charter schools  
8.12 with common principles of effective practice, including:

8.13 (1) defining measurable education goals under ~~section~~ sections 120B.11, subdivision  
8.14 2, and 120B.22, subdivisions 1a and 1b;

8.15 (2) implementing evidence-based practices;

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

8.17 (4) providing multilayered levels of support;

8.18 (5) supporting culturally responsive teaching and learning aligning the development  
8.19 of academic English proficiency, state and local academic standards, and career and  
8.20 college readiness benchmarks; and

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

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

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

8.32 (b) The department must assist the regional centers of excellence to meet staff,  
8.33 facilities, and technical needs, provide the centers with programmatic support, and work  
8.34 with the centers to establish a coherent statewide system of regional support, including  
8.35 consulting, training, and technical support, to help school boards, school districts, school

9.1 sites, and charter schools effectively and efficiently implement the world's best workforce  
 9.2 goals under section 120B.11 and other state and federal education initiatives.

9.3 Sec. 5. Minnesota Statutes 2012, section 120B.12, is amended to read:

9.4 **120B.12 READING PROFICIENTLY NO LATER THAN THE END OF**  
 9.5 **GRADE 3.**

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

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

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

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

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

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

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

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

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

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

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

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

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

10.21 Subd. 4a. **Local literacy plan.** Consistent with this section, a school district must  
10.22 adopt a local literacy plan to have every child reading at or above grade level no later than  
10.23 the end of grade 3, including English learners. The plan must include a process to assess  
10.24 students' level of reading proficiency, notify and involve parents, intervene with students  
10.25 who are not reading at or above grade level, and identify and meet staff development  
10.26 needs. The district must post its literacy plan on the official school district Web site.

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

10.32 Sec. 6. Minnesota Statutes 2013 Supplement, section 120B.125, is amended to read:

10.33 **120B.125 PLANNING FOR STUDENTS' SUCCESSFUL TRANSITION**  
10.34 **TO POSTSECONDARY EDUCATION AND EMPLOYMENT; INVOLUNTARY**  
10.35 **CAREER TRACKING PROHIBITED.**

11.1 (a) Consistent with sections 120B.128, 120B.13, 120B.131, 120B.132, 120B.14,  
11.2 120B.15, 120B.30, subdivision 1, paragraph (c), 125A.08, and other related sections,  
11.3 school districts, beginning in the 2013-2014 school year, must assist all students by no  
11.4 later than grade 9 to explore their college and career interests and aspirations and develop  
11.5 a plan for a smooth and successful transition to postsecondary education or employment.

11.6 All students' plans must be designed to:

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

11.11 (2) emphasize academic rigor and high expectations;

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

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

11.15 (5) integrate strong academic content into career-focused courses and integrate  
11.16 relevant career-focused courses into strong academic content;

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

11.21 (7) help students and families identify collaborative partnerships of ~~kindergarten~~  
11.22 prekindergarten through grade 12 schools, postsecondary institutions, economic  
11.23 development agencies, and employers that support students' transition to postsecondary  
11.24 education and employment and provide students with experiential learning opportunities;  
11.25 and

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

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

11.35 (c) Educators must possess the knowledge and skills to effectively teach all English  
11.36 learners in their classrooms. School districts must provide appropriate curriculum,

12.1 targeted materials, professional development opportunities for educators, and sufficient  
12.2 resources to enable English learners to become career- and college-ready.

12.3 Sec. 7. Minnesota Statutes 2013 Supplement, section 120B.35, subdivision 3, is  
12.4 amended to read:

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

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

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

12.20 (2) for all student categories, report and compare aggregated and disaggregated state  
12.21 growth data using the nine student categories identified under the federal 2001 No Child  
12.22 Left Behind Act and two student gender categories of male and female, respectively,  
12.23 following appropriate reporting practices to protect nonpublic student data.

12.24 The commissioner must report measures of student growth, consistent with this  
12.25 paragraph.

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

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

13.1 (2) a rigorous coursework measure indicating the number and percentage of high  
13.2 school graduates in the most recent school year who successfully completed one or more  
13.3 college-level advanced placement, international baccalaureate, postsecondary enrollment  
13.4 options including concurrent enrollment, other rigorous courses of study under section  
13.5 120B.021, subdivision 1a, or industry certification courses or programs.

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

13.11 (d) When reporting student performance under section 120B.36, subdivision 1, the  
13.12 commissioner annually, beginning July 1, 2014, must report summary data on school  
13.13 safety and students' engagement and connection at school. The summary data under this  
13.14 paragraph are separate from and must not be used for any purpose related to measuring  
13.15 or evaluating the performance of classroom teachers. The commissioner, in consultation  
13.16 with qualified experts on student engagement and connection and classroom teachers,  
13.17 must identify highly reliable variables that generate summary data under this paragraph.  
13.18 The summary data may be used at school, district, and state levels only. Any data on  
13.19 individuals received, collected, or created that are used to generate the summary data  
13.20 under this paragraph are nonpublic data under section 13.02, subdivision 9.

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

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

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

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

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

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

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

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

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

14.3 (f) The commissioner, in consultation with recognized experts with knowledge and  
14.4 experience in assessing the language proficiency and academic performance of English  
14.5 learners, must identify and report appropriate and effective measures to improve current  
14.6 categories of language difficulty and assessments, and monitor and report data on students'  
14.7 English proficiency levels, program placement, and academic language development,  
14.8 including oral academic language.

14.9 Sec. 8. Minnesota Statutes 2013 Supplement, section 120B.36, subdivision 1, is  
14.10 amended to read:

14.11 Subdivision 1. **School performance reports.** (a) The commissioner shall report  
14.12 student academic performance under section 120B.35, subdivision 2; the percentages of  
14.13 students showing low, medium, and high growth under section 120B.35, subdivision  
14.14 3, paragraph (b); school safety and student engagement and connection under section  
14.15 120B.35, subdivision 3, paragraph (d); rigorous coursework under section 120B.35,  
14.16 subdivision 3, paragraph (c); the percentage of students under section 120B.35,  
14.17 subdivision 3, paragraph (b), clause (2), whose progress and performance levels are  
14.18 meeting career and college readiness benchmarks under sections 120B.30, subdivision 1,  
14.19 and 120B.35, subdivision 3, paragraph (e); longitudinal data on the progress of eligible  
14.20 districts in reducing disparities in students' academic achievement and realizing racial and  
14.21 economic integration under section 124D.861; the acquisition of English, and where  
14.22 practicable, native language academic literacy, including oral academic language, and  
14.23 the academic progress of English learners under section 124D.59, subdivisions 2 and  
14.24 2a; two separate student-to-teacher ratios that clearly indicate the definition of teacher  
14.25 consistent with sections 122A.06 and 122A.15 for purposes of determining these ratios;  
14.26 staff characteristics excluding salaries; student enrollment demographics; district mobility;  
14.27 and extracurricular activities. The report also must indicate a school's adequate yearly  
14.28 progress status under applicable federal law, and must not set any designations applicable  
14.29 to high- and low-performing schools due solely to adequate yearly progress status.

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

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

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

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

15.9 Sec. 9. Minnesota Statutes 2012, section 122A.06, subdivision 4, is amended to read:

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

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

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

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

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

15.32 (e) "Reading comprehension" is an active process that requires intentional thinking  
15.33 during which meaning is constructed through interactions between text and reader.  
15.34 Comprehension skills are taught explicitly by demonstrating, explaining, modeling, and

16.1 implementing specific cognitive strategies to help beginning readers derive meaning  
16.2 through intentional, problem-solving thinking processes.

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

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

16.9 Sec. 10. Minnesota Statutes 2013 Supplement, section 122A.09, subdivision 4, is  
16.10 amended to read:

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

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

16.20 (c) The board must adopt rules to approve teacher preparation programs. The board,  
16.21 upon the request of a postsecondary student preparing for teacher licensure or a licensed  
16.22 graduate of a teacher preparation program, shall assist in resolving a dispute between the  
16.23 person and a postsecondary institution providing a teacher preparation program when the  
16.24 dispute involves an institution's recommendation for licensure affecting the person or the  
16.25 person's credentials. At the board's discretion, assistance may include the application  
16.26 of chapter 14.

16.27 (d) The board must provide the leadership and adopt rules for the redesign of teacher  
16.28 education programs to implement a research based, results-oriented curriculum that  
16.29 focuses on the skills teachers need in order to be effective. The board shall implement new  
16.30 systems of teacher preparation program evaluation to assure program effectiveness based  
16.31 on proficiency of graduates in demonstrating attainment of program outcomes. Teacher  
16.32 preparation programs including alternative teacher preparation programs under section  
16.33 122A.245, among other programs, must include a content-specific, board-approved,  
16.34 performance-based assessment that measures teacher candidates in three areas: planning

17.1 for instruction and assessment; engaging students and supporting learning; and assessing  
17.2 student learning.

17.3 (e) The board must adopt rules requiring candidates for initial licenses to pass an  
17.4 examination of general pedagogical knowledge and examinations of licensure-specific  
17.5 teaching skills. The rules shall be effective by September 1, 2001. The rules under this  
17.6 paragraph also must require candidates for initial licenses to teach prekindergarten or  
17.7 elementary students to pass, as part of the examination of licensure-specific teaching  
17.8 skills, test items assessing the candidates' knowledge, skill, and ability in comprehensive,  
17.9 scientifically based reading instruction under section 122A.06, subdivision 4, and their  
17.10 knowledge and understanding of the foundations of reading development, the development  
17.11 of reading comprehension, and reading assessment and instruction, and their ability to  
17.12 integrate that knowledge and understanding.

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

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

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

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

18.1 (j) The board must grant life licenses to those who qualify according to requirements  
18.2 established by the board, and suspend or revoke licenses pursuant to sections 122A.20 and  
18.3 214.10. The board must not establish any expiration date for application for life licenses.

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

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

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

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

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

18.29 Sec. 11. Minnesota Statutes 2012, section 122A.14, subdivision 2, is amended to read:

18.30 Subd. 2. **Preparation programs.** The board shall review and approve or  
18.31 disapprove preparation programs for school administrators and alternative preparation  
18.32 programs for administrators under section 122A.27, and must consider other alternative  
18.33 competency-based preparation programs leading to licensure. Among other requirements,  
18.34 preparation programs must include instruction on meeting the varied needs of English

19.1 learners, from young children to adults, in English and, where practicable, in students'  
19.2 native language.

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

19.5 Sec. 12. Minnesota Statutes 2012, section 122A.14, subdivision 3, is amended to read:

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

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

19.19 Sec. 13. Minnesota Statutes 2013 Supplement, section 122A.18, subdivision 2, is  
19.20 amended to read:

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

19.24 (b) The board must require a person to pass an examination of skills in reading,  
19.25 writing, and mathematics before being granted an initial teaching license to provide direct  
19.26 instruction to pupils in prekindergarten, elementary, secondary, or special education  
19.27 programs, except that the board may issue up to two additional temporary, one-year  
19.28 teaching licenses to an otherwise qualified candidate who has not yet passed the skills  
19.29 exam. The board must require colleges and universities offering a board approved teacher  
19.30 preparation program to make available upon request remedial assistance that includes a  
19.31 formal diagnostic component to persons enrolled in their institution who did not achieve a  
19.32 qualifying score on the skills examination, including those for whom English is a second  
19.33 language. The colleges and universities must make available assistance in the specific

20.1 academic areas of deficiency in which the person did not achieve a qualifying score.  
20.2 School districts may make available upon request similar, appropriate, and timely remedial  
20.3 assistance that includes a formal diagnostic component to those persons employed by the  
20.4 district who completed their teacher education program, who did not achieve a qualifying  
20.5 score on the skills examination, including those persons for whom English is a second  
20.6 language and persons under section 122A.23, subdivision 2, paragraph (h), who completed  
20.7 their teacher's education program outside the state of Minnesota, and who received a  
20.8 temporary license to teach in Minnesota. The Board of Teaching shall report annually  
20.9 to the education committees of the legislature on the total number of teacher candidates  
20.10 during the most recent school year taking the skills examination, the number who achieve  
20.11 a qualifying score on the examination, the number who do not achieve a qualifying score  
20.12 on the examination, the distribution of all candidates' scores, the number of candidates  
20.13 who have taken the examination at least once before, and the number of candidates who  
20.14 have taken the examination at least once before and achieve a qualifying score.

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

20.19 (d) All colleges and universities approved by the board of teaching to prepare persons  
20.20 for teacher licensure must include in their teacher preparation programs a common core  
20.21 of teaching knowledge and skills to be acquired by all persons recommended for teacher  
20.22 licensure. Among other requirements, teacher candidates must demonstrate the knowledge  
20.23 and skills needed to provide appropriate instruction to English learners to support and  
20.24 accelerate their academic literacy, including oral academic language, and achievement in  
20.25 content areas in a regular classroom setting. This common core shall meet the standards  
20.26 developed by the interstate new teacher assessment and support consortium in its 1992  
20.27 "model standards for beginning teacher licensing and development." Amendments to  
20.28 standards adopted under this paragraph are covered by chapter 14. The board of teaching  
20.29 shall report annually to the education committees of the legislature on the performance  
20.30 of teacher candidates on common core assessments of knowledge and skills under this  
20.31 paragraph during the most recent school year.

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

20.34 Sec. 14. Minnesota Statutes 2012, section 122A.18, subdivision 2a, is amended to read:

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

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

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

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

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

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

21.23 Sec. 15. Minnesota Statutes 2012, section 122A.18, subdivision 4, is amended to read:

21.24 Subd. 4. **Expiration and renewal.** (a) Each license the Department of Education  
21.25 issues through its licensing section must bear the date of issue. Licenses must expire  
21.26 and be renewed according to the respective rules the Board of Teaching, the Board  
21.27 of School Administrators, or the commissioner of education adopts. Requirements for  
21.28 renewing a license must include showing satisfactory evidence of successful teaching or  
21.29 administrative experience for at least one school year during the period covered by the  
21.30 license in grades or subjects for which the license is valid or completing such additional  
21.31 preparation as the Board of Teaching prescribes. The Board of School Administrators  
21.32 shall establish requirements for renewing the licenses of supervisory personnel except  
21.33 athletic coaches. The State Board of Teaching shall establish requirements for renewing  
21.34 the licenses of athletic coaches.

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

22.9 (1) support for student learning;

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

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

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

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

22.20 (c) The Board of Teaching shall offer alternative continuing relicensure options for  
 22.21 teachers who are accepted into and complete the National Board for Professional Teaching  
 22.22 Standards certification process, and offer additional continuing relicensure options for  
 22.23 teachers who earn National Board for Professional Teaching Standards certification.  
 22.24 Continuing relicensure requirements for teachers who do not maintain National Board for  
 22.25 Professional Teaching Standards certification are those the board prescribes, consistent  
 22.26 with this section.

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

22.29 Sec. 16. Minnesota Statutes 2012, section 122A.19, is amended to read:

22.30 **122A.19 BILINGUAL AND ENGLISH AS A SECOND LANGUAGE**  
 22.31 **TEACHERS; LICENSES.**

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

- 23.1 (a) Possess competence and communicative skills in English and in another language;
- 23.2 (b) Possess a bachelor's degree or other academic degree approved by the board,
- 23.3 and meet such requirements as to course of study and training as the board may prescribe,
- 23.4 consistent with subdivision 4.

23.5 Subd. 2. **Persons holding general teaching licenses.** The board may license a

23.6 person holding who holds a general teaching license and who presents the board with

23.7 satisfactory evidence of competence and communicative skills in a language other than

23.8 English may be licensed under this section.

23.9 Subd. 3. ~~**Employment of teachers.** Teachers employed in a bilingual education~~

23.10 ~~or English as a second language program established pursuant to sections 124D.58 to~~

23.11 ~~124D.64 shall not be employed to replace any presently employed teacher who otherwise~~

23.12 ~~would not be replaced.~~

23.13 Subd. 4. **Teacher preparation programs.** For the purpose of licensing bilingual

23.14 and English as a second language teachers, the board may approve programs at colleges

23.15 or universities designed for their training. These programs must provide instruction in

23.16 implementing research-based practices designed specifically for English learners. The

23.17 programs must focus on developing English learners' academic language proficiency in

23.18 English, including oral academic language, giving English learners meaningful access to

23.19 the full school curriculum, developing culturally relevant teaching practices appropriate

23.20 for immigrant students, and providing more intensive instruction and resources to English

23.21 learners with lower levels of academic English proficiency and varied needs, consistent

23.22 with section 124D.59, subdivisions 2 and 2a.

23.23 Subd. 5. **Persons eligible for employment.** Any person licensed under this section

23.24 ~~shall be~~ is eligible for employment by a school board as a teacher in a bilingual education

23.25 or English as a second language program in which the language for which the person is

23.26 licensed is taught or used as a medium of instruction. A board may prescribe only those

23.27 additional qualifications for teachers licensed under this section as that are approved

23.28 by the board of teaching.

23.29 Subd. 6. **Affirmative efforts in hiring.** In hiring for all ~~positions in~~ bilingual

23.30 education ~~programs~~ program positions, districts must give preference to and make

23.31 affirmative efforts to seek, recruit, and employ persons who (1) are ~~(a)~~ native speakers of the

23.32 language which is the medium of instruction in the bilingual education program or share a

23.33 native language with the majority of their students, and ~~(b) who~~ (2) share the culture of the

23.34 English learners ~~who are~~ enrolled in the program. The district shall provide procedures for

23.35 ~~the involvement of~~ involving the parent advisory committees in designing the procedures

24.1 for ~~the recruitment~~ recruiting, screening, and ~~selection of~~ selecting applicants. This section  
24.2 must not be construed to limit the school board's authority to hire and discharge personnel.

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

24.7 Sec. 17. Minnesota Statutes 2013 Supplement, section 122A.40, subdivision 8, is  
24.8 amended to read:

24.9 Subd. 8. **Development, evaluation, and peer coaching for continuing contract**  
24.10 **teachers.** (a) To improve student learning and success, a school board and an exclusive  
24.11 representative of the teachers in the district, consistent with paragraph (b), may develop  
24.12 a teacher evaluation and peer review process for probationary and continuing contract  
24.13 teachers through joint agreement. If a school board and the exclusive representative of the  
24.14 teachers do not agree to an annual teacher evaluation and peer review process, then the  
24.15 school board and the exclusive representative of the teachers must implement the plan  
24.16 for evaluation and review under paragraph (c). The process must include having trained  
24.17 observers serve as peer coaches or having teachers participate in professional learning  
24.18 communities, consistent with paragraph (b).

24.19 (b) To develop, improve, and support qualified teachers and effective teaching  
24.20 practices and improve student learning and success, the annual evaluation process for  
24.21 teachers:

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

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

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

24.31 (4) must coordinate staff development activities under sections 122A.60 and  
24.32 122A.61 with this evaluation process and teachers' evaluation outcomes;

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

24.35 (6) may include mentoring and induction programs;

25.1 (7) must include an option for teachers to develop and present a portfolio  
25.2 demonstrating evidence of reflection and professional growth, consistent with section  
25.3 122A.18, subdivision 4, paragraph (b), and include teachers' own performance assessment  
25.4 based on student work samples and examples of teachers' work, which may include video  
25.5 among other activities for the summative evaluation;

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

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

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

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

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

25.23 Data on individual teachers generated under this subdivision are personnel data  
25.24 under section 13.43.

25.25 (c) The department, in consultation with parents who may represent parent  
25.26 organizations and teacher and administrator representatives appointed by their respective  
25.27 organizations, representing the Board of Teaching, the Minnesota Association of School  
25.28 Administrators, the Minnesota School Boards Association, the Minnesota Elementary  
25.29 and Secondary Principals Associations, Education Minnesota, and representatives of  
25.30 the Minnesota Assessment Group, the Minnesota Business Partnership, the Minnesota  
25.31 Chamber of Commerce, and Minnesota postsecondary institutions with research expertise  
25.32 in teacher evaluation, must create and publish a teacher evaluation process that complies  
25.33 with the requirements in paragraph (b) and applies to all teachers under this section and  
25.34 section 122A.41 for whom no agreement exists under paragraph (a) for an annual teacher  
25.35 evaluation and peer review process. The teacher evaluation process created under this

26.1 subdivision does not create additional due process rights for probationary teachers under  
26.2 subdivision 5.

26.3 Sec. 18. Minnesota Statutes 2013 Supplement, section 122A.41, subdivision 5, is  
26.4 amended to read:

26.5 Subd. 5. **Development, evaluation, and peer coaching for continuing contract**  
26.6 **teachers.** (a) To improve student learning and success, a school board and an exclusive  
26.7 representative of the teachers in the district, consistent with paragraph (b), may develop an  
26.8 annual teacher evaluation and peer review process for probationary and nonprobationary  
26.9 teachers through joint agreement. If a school board and the exclusive representative of  
26.10 the teachers in the district do not agree to an annual teacher evaluation and peer review  
26.11 process, then the school board and the exclusive representative of the teachers must  
26.12 implement the plan for evaluation and review developed under paragraph (c). The process  
26.13 must include having trained observers serve as peer coaches or having teachers participate  
26.14 in professional learning communities, consistent with paragraph (b).

26.15 (b) To develop, improve, and support qualified teachers and effective teaching  
26.16 practices and improve student learning and success, the annual evaluation process for  
26.17 teachers:

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

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

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

26.26 (4) must coordinate staff development activities under sections 122A.60 and  
26.27 122A.61 with this evaluation process and teachers' evaluation outcomes;

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

26.30 (6) may include mentoring and induction programs;

26.31 (7) must include an option for teachers to develop and present a portfolio  
26.32 demonstrating evidence of reflection and professional growth, consistent with section  
26.33 122A.18, subdivision 4, paragraph (b), and include teachers' own performance assessment  
26.34 based on student work samples and examples of teachers' work, which may include video  
26.35 among other activities for the summative evaluation;

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

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

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

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

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

27.18 Data on individual teachers generated under this subdivision are personnel data  
27.19 under section 13.43.

27.20 (c) The department, in consultation with parents who may represent parent  
27.21 organizations and teacher and administrator representatives appointed by their respective  
27.22 organizations, representing the Board of Teaching, the Minnesota Association of School  
27.23 Administrators, the Minnesota School Boards Association, the Minnesota Elementary  
27.24 and Secondary Principals Associations, Education Minnesota, and representatives of  
27.25 the Minnesota Assessment Group, the Minnesota Business Partnership, the Minnesota  
27.26 Chamber of Commerce, and Minnesota postsecondary institutions with research expertise  
27.27 in teacher evaluation, must create and publish a teacher evaluation process that complies  
27.28 with the requirements in paragraph (b) and applies to all teachers under this section and  
27.29 section 122A.40 for whom no agreement exists under paragraph (a) for an annual teacher  
27.30 evaluation and peer review process. The teacher evaluation process created under this  
27.31 subdivision does not create additional due process rights for probationary teachers under  
27.32 subdivision 2.

27.33 Sec. 19. Minnesota Statutes 2012, section 122A.413, subdivision 2, is amended to read:

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

- 28.1 (1) assessment and evaluation tools to measure student performance and progress,  
28.2 including the academic literacy, oral academic language, and achievement of English  
28.3 learners, among other measures;
- 28.4 (2) performance goals and benchmarks for improvement;
- 28.5 (3) measures of student attendance and completion rates;
- 28.6 (4) a rigorous research and practice-based professional development system, based  
28.7 on national and state standards of effective teaching practice applicable to all students  
28.8 including English learners with varied needs, and consistent with section 122A.60, that is  
28.9 aligned with educational improvement and designed to achieve ongoing and schoolwide  
28.10 progress and growth in teaching practice;
- 28.11 (5) measures of student, family, and community involvement and satisfaction;
- 28.12 (6) a data system about students and their academic progress that provides parents  
28.13 and the public with understandable information;
- 28.14 (7) a teacher induction and mentoring program for probationary teachers that  
28.15 provides continuous learning and sustained teacher support; and
- 28.16 (8) substantial participation by the exclusive representative of the teachers in  
28.17 developing the plan.

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

28.20 Sec. 20. Minnesota Statutes 2012, section 122A.414, subdivision 2, is amended to read:

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

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

28.27 (1) describe how teachers can achieve career advancement and additional  
28.28 compensation;

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

28.33 (3) reform the "steps and lanes" salary schedule, prevent any teacher's compensation  
28.34 paid before implementing the pay system from being reduced as a result of participating

29.1 in this system, and base at least 60 percent of any compensation increase on teacher  
29.2 performance using:

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

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

29.7 (iii) an objective evaluation program that includes:

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

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

29.12 (4) provide integrated ongoing site-based professional development activities to  
29.13 improve instructional skills and learning that are aligned with student needs under section  
29.14 122A.413, consistent with the staff development plan under section 122A.60 and led  
29.15 during the school day by trained teacher leaders such as master or mentor teachers;

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

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

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

29.22 Sec. 21. Minnesota Statutes 2012, section 122A.60, subdivision 1a, is amended to read:

29.23 Subd. 1a. **Effective staff development activities.** (a) Staff development activities  
29.24 must:

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

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

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

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

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

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

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

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

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

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

30.21 Sec. 22. Minnesota Statutes 2012, section 122A.60, subdivision 2, is amended to read:

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

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

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

30.30 (3) maintain a strong subject matter focus premised on students' learning goals;

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

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

31.1 Sec. 23. Minnesota Statutes 2012, section 122A.60, subdivision 3, is amended to read:

31.2 Subd. 3. **Staff development outcomes.** The advisory staff development committee  
31.3 must adopt a staff development plan for improving student achievement. The plan must  
31.4 be consistent with education outcomes that the school board determines. The plan  
31.5 must include ongoing staff development activities that contribute toward continuous  
31.6 improvement in achievement of the following goals:

31.7 (1) improve student achievement of state and local education standards in all areas  
31.8 of the curriculum by using research-based best practices methods;

31.9 (2) effectively meet the needs of a diverse student population, including at-risk  
31.10 children, children with disabilities, English learners, and gifted children, within the  
31.11 regular classroom and other settings;

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

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

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

31.20 (6) effectively deliver digital and blended learning and curriculum and engage  
31.21 students with technology; and

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

31.24 Sec. 24. Minnesota Statutes 2012, section 122A.68, subdivision 3, is amended to read:

31.25 Subd. 3. **Program components.** In order to be approved by the Board of Teaching,  
31.26 a school district's residency program must at minimum include:

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

31.28 (2) a team mentorship approach to expose teaching residents to a variety of  
31.29 teaching methods, philosophies, and classroom environments that includes differentiated  
31.30 instructional strategies, effective use of student achievement data, and support for native  
31.31 and English language development across the curriculum and grade levels, among other  
31.32 things;

31.33 (3) ongoing peer coaching and assessment;

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

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

32.4 A teaching resident's direct classroom supervision responsibilities shall not exceed  
 32.5 80 percent of the instructional time required of a full-time equivalent teacher in the  
 32.6 district. During the time a resident does not supervise a class, the resident shall participate  
 32.7 in professional development activities according to the individual plan developed by the  
 32.8 resident in conjunction with the school's mentoring team. Examples of development  
 32.9 activities include observing other teachers, sharing experiences with other teaching  
 32.10 residents, and professional meetings and workshops.

32.11 Sec. 25. Minnesota Statutes 2012, section 122A.74, is amended to read:

32.12 **122A.74 PRINCIPALS' LEADERSHIP INSTITUTE.**

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

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

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

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

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

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

32.26 (c) Participants must agree to attend the Principals' Leadership Institute for four  
 32.27 weeks during the academic summer.

32.28 (d) The Principals' Leadership Institute must incorporate program elements offered  
 32.29 by leadership programs at the University of Minnesota and program elements used by  
 32.30 the participating members of the business community to enhance leadership within their  
 32.31 businesses.

32.32 Subd. 2. **Method of selection and requirements.** (a) The board of each school  
 32.33 district in the state may select a principal, upon the recommendation of the district's  
 32.34 superintendent and based on the principal's leadership potential, to attend the institute.

33.1 (b) The school board annually shall forward its list of recommended participants to  
33.2 the commissioner ~~of education~~ by February 1 ~~each year~~. In addition, a principal may submit  
33.3 an application directly to the commissioner by February 1. The commissioner ~~of education~~  
33.4 shall notify the school board, the principal candidates, and the University of Minnesota of  
33.5 the principals selected to participate in the Principals' Leadership Institute each year.

33.6 Sec. 26. Minnesota Statutes 2012, section 123A.06, subdivision 2, is amended to read:

33.7 Subd. 2. **People to be served.** A state-approved alternative program shall provide  
33.8 programs for secondary pupils and adults. A center may also provide programs and  
33.9 services for elementary and secondary pupils who are not attending the state-approved  
33.10 alternative program to assist them in being successful in school. A center shall use  
33.11 research-based best practices for serving English learners and their parents, taking into  
33.12 account the variations in students' backgrounds and needs and the amount of time and the  
33.13 staff resources necessary for students to overcome gaps in their education and to develop  
33.14 English proficiency and work-related skills. An individualized education program team  
33.15 may identify a state-approved alternative program as an appropriate placement to the  
33.16 extent a state-approved alternative program can provide the student with the appropriate  
33.17 special education services described in the student's plan. Pupils eligible to be served are  
33.18 those who qualify under the graduation incentives program in section 124D.68, subdivision  
33.19 2, those enrolled under section 124D.02, subdivision 2, or those pupils who are eligible to  
33.20 receive special education services under sections 125A.03 to 125A.24, and 125A.65.

33.21 Sec. 27. Minnesota Statutes 2012, section 123B.04, subdivision 4, is amended to read:

33.22 Subd. 4. **Achievement contract.** A school board may enter a written education site  
33.23 achievement contract with each site decision-making team for: (1) setting individualized  
33.24 learning and achievement measures and short- and long-term educational goals for each  
33.25 student at that site that may include site-based strategies for English language instruction  
33.26 targeting the teachers of English learners and all teachers and school administrators;  
33.27 (2) recognizing each student's educational needs and aptitudes and levels of academic  
33.28 attainment, whether on grade level or above or below grade level, so as to improve student  
33.29 performance through such means as a cost-effective, research-based formative assessment  
33.30 system designed to promote individualized learning and assessment; (3) using student  
33.31 performance data to diagnose a student's academic strengths and weaknesses and indicate  
33.32 to the student's teachers the specific skills and concepts that need to be introduced to  
33.33 the student and developed through academic instruction or applied learning, organized  
33.34 by strands within subject areas and linked to state and local academic standards during

34.1 the next year, consistent with the student's short- and long-term educational goals; and  
34.2 (4) assisting the education site if progress in achieving student or contract goals or other  
34.3 performance expectations or measures agreed to by the board and the site decision-making  
34.4 team are not realized or implemented.

34.5 Sec. 28. Minnesota Statutes 2012, section 123B.147, subdivision 3, is amended to read:

34.6 Subd. 3. **Duties; evaluation.** (a) The principal shall provide administrative,  
34.7 supervisory, and instructional leadership services, under the supervision of the  
34.8 superintendent of schools of the district and according to the policies, rules, and  
34.9 regulations of the school board, for the planning, management, operation, and evaluation  
34.10 of the education program of the building or buildings to which the principal is assigned.

34.11 (b) To enhance a principal's leadership skills and support and improve teaching  
34.12 practices, school performance, and student achievement for diverse student populations,  
34.13 including at-risk students, children with disabilities, English learners, and gifted students,  
34.14 among others, a district must develop and implement a performance-based system for  
34.15 annually evaluating school principals assigned to supervise a school building within the  
34.16 district. The evaluation must be designed to improve teaching and learning by supporting  
34.17 the principal in shaping the school's professional environment and developing teacher  
34.18 quality, performance, and effectiveness. The annual evaluation must:

34.19 (1) support and improve a principal's instructional leadership, organizational  
34.20 management, and professional development, and strengthen the principal's capacity in the  
34.21 areas of instruction, supervision, evaluation, and teacher development;

34.22 (2) include formative and summative evaluations based on multiple measures of  
34.23 student progress toward career and college readiness;

34.24 (3) be consistent with a principal's job description, a district's long-term plans and  
34.25 goals, and the principal's own professional multiyear growth plans and goals, all of which  
34.26 must support the principal's leadership behaviors and practices, rigorous curriculum,  
34.27 school performance, and high-quality instruction;

34.28 (4) include on-the-job observations and previous evaluations;

34.29 (5) allow surveys to help identify a principal's effectiveness, leadership skills and  
34.30 processes, and strengths and weaknesses in exercising leadership in pursuit of school  
34.31 success;

34.32 (6) use longitudinal data on student academic growth as 35 percent of the evaluation  
34.33 and incorporate district achievement goals and targets;

35.1 (7) be linked to professional development that emphasizes improved teaching and  
35.2 learning, curriculum and instruction, student learning, and a collaborative professional  
35.3 culture; and

35.4 (8) for principals not meeting standards of professional practice or other criteria  
35.5 under this subdivision, implement a plan to improve the principal's performance and  
35.6 specify the procedure and consequence if the principal's performance is not improved.

35.7 The provisions of this paragraph are intended to provide districts with sufficient  
35.8 flexibility to accommodate district needs and goals related to developing, supporting,  
35.9 and evaluating principals.

35.10 Sec. 29. Minnesota Statutes 2012, section 124D.13, subdivision 2, is amended to read:

35.11 Subd. 2. **Program requirements.** (a) Early childhood family education programs  
35.12 are programs for children in the period of life from birth to kindergarten, for the parents  
35.13 and other relatives of these children, and for expectant parents. To the extent that funds  
35.14 are insufficient to provide programs for all children, early childhood family education  
35.15 programs should emphasize programming for a child from birth to age three and  
35.16 encourage parents and other relatives to involve four- and five-year-old children in school  
35.17 readiness programs, and other public and nonpublic early learning programs. A district  
35.18 may not limit participation to school district residents. Early childhood family education  
35.19 programs must provide:

35.20 (1) programs to educate parents and other relatives about the physical, mental, and  
35.21 emotional development of children and to enhance the skills of parents and other relatives  
35.22 in providing for their children's learning and development;

35.23 (2) structured learning activities requiring interaction between children and their  
35.24 parents or relatives;

35.25 (3) structured learning activities for children that promote children's development  
35.26 and positive interaction with peers, which are held while parents or relatives attend parent  
35.27 education classes;

35.28 (4) information on related community resources;

35.29 (5) information, materials, and activities that support the safety of children, including  
35.30 prevention of child abuse and neglect; and

35.31 (6) a community outreach plan to ensure participation by families who reflect the  
35.32 racial, cultural, linguistic, and economic diversity of the school district.

35.33 Early childhood family education programs are encouraged to provide parents of  
35.34 English learners with translated oral and written information to monitor the program's  
35.35 impact on their children's English language development, to know whether their children

36.1 are progressing in developing their English and native language proficiency, and to  
 36.2 actively engage with and support their children in developing their English and native  
 36.3 language proficiency.

36.4 The programs must include learning experiences for children, parents, and other  
 36.5 relatives that promote children's early literacy and, where practicable, their native  
 36.6 language skills. ~~The program must not include~~ and activities for children that ~~do not~~  
 36.7 require substantial involvement of the children's parents or other relatives. Providers must  
 36.8 review the program ~~must be reviewed~~ periodically to assure the instruction and materials  
 36.9 are not racially, culturally, or sexually biased. The programs must encourage parents to be  
 36.10 aware of practices that may affect equitable development of children.

36.11 (b) For the purposes of this section, "relative" or "relatives" means noncustodial  
 36.12 grandparents or other persons related to a child by blood, marriage, adoption, or foster  
 36.13 placement, excluding parents.

36.14 Sec. 30. Minnesota Statutes 2012, section 124D.15, subdivision 3, is amended to read:

36.15 Subd. 3. **Program requirements.** A school readiness program provider must:

36.16 (1) assess each child's cognitive and language skills with a comprehensive child  
 36.17 assessment instrument when the child enters and again before the child leaves the program  
 36.18 to ~~inform~~ improve program planning and implementation, communicate with parents, and  
 36.19 promote kindergarten readiness;

36.20 (2) provide comprehensive program content and intentional instructional practice  
 36.21 aligned with the state early childhood learning guidelines and kindergarten standards and  
 36.22 based on early childhood research and professional practice that is focused on children's  
 36.23 cognitive, social, emotional, and physical skills and development and prepares children  
 36.24 for the transition to kindergarten, including early literacy and language skills;

36.25 (3) coordinate appropriate kindergarten transition with parents and kindergarten  
 36.26 teachers;

36.27 (4) involve parents in program planning and decision making;

36.28 (5) coordinate with relevant community-based services;

36.29 (6) cooperate with adult basic education programs and other adult literacy programs;

36.30 (7) ensure staff-child ratios of one-to-ten and maximum group size of 20 children  
 36.31 with the first staff required to be a teacher; and

36.32 (8) have teachers knowledgeable in early childhood curriculum content, assessment,  
 36.33 native and English language development programs, and instruction.

36.34 Sec. 31. Minnesota Statutes 2012, section 124D.49, subdivision 3, is amended to read:

37.1 Subd. 3. **Local education and employment transitions systems.** A local education  
37.2 and employment transitions partnership must assess the needs of employers, employees,  
37.3 and learners, and develop a plan for implementing and achieving the objectives of a local  
37.4 or regional education and employment transitions system. The plan must provide for a  
37.5 comprehensive local system for assisting learners and workers in making the transition  
37.6 from school to work or for retraining in a new vocational area. The objectives of a local  
37.7 education and employment transitions system include:

37.8 (1) increasing the effectiveness of the educational programs and curriculum of  
37.9 elementary, secondary, and postsecondary schools and the work site in preparing students  
37.10 in the skills and knowledge needed to be successful in the workplace;

37.11 (2) implementing learner outcomes for students in grades kindergarten through 12  
37.12 designed to introduce the world of work and to explore career opportunities, including  
37.13 nontraditional career opportunities;

37.14 (3) eliminating barriers to providing effective integrated applied learning,  
37.15 service-learning, or work-based curriculum;

37.16 (4) increasing opportunities to apply academic knowledge and skills, including  
37.17 skills needed in the workplace, in local settings which include the school, school-based  
37.18 enterprises, postsecondary institutions, the workplace, and the community;

37.19 (5) increasing applied instruction in the attitudes and skills essential for success in  
37.20 the workplace, including cooperative working, leadership, problem-solving, English  
37.21 language proficiency, and respect for diversity;

37.22 (6) providing staff training for vocational guidance counselors, teachers, and other  
37.23 appropriate staff in the importance of preparing learners for the transition to work, and in  
37.24 methods of providing instruction that incorporate applied learning, work-based learning,  
37.25 English language proficiency, and service-learning experiences;

37.26 (7) identifying and enlisting local and regional employers who can effectively  
37.27 provide work-based or service-learning opportunities, including, but not limited to,  
37.28 apprenticeships, internships, and mentorships;

37.29 (8) recruiting community and workplace mentors including peers, parents, employers  
37.30 and employed individuals from the community, and employers of high school students;

37.31 (9) identifying current and emerging educational, training, native and English  
37.32 language development, and employment needs of the area or region, especially within  
37.33 industries with potential for job growth;

37.34 (10) improving the coordination and effectiveness of local vocational and job training  
37.35 programs, including vocational education, adult basic education, tech prep, apprenticeship,  
37.36 service-learning, youth entrepreneur, youth training and employment programs

38.1 administered by the commissioner of employment and economic development, and local  
38.2 job training programs under the Workforce Investment Act of 1998, Public Law 105-220;

38.3 (11) identifying and applying for federal, state, local, and private sources of funding  
38.4 for vocational or applied learning programs;

38.5 (12) providing students with current information and counseling about career  
38.6 opportunities, potential employment, educational opportunities in postsecondary  
38.7 institutions, workplaces, and the community, and the skills and knowledge necessary to  
38.8 succeed;

38.9 (13) providing educational technology, including interactive television networks  
38.10 and other distance learning methods, to ensure access to a broad variety of work-based  
38.11 learning opportunities;

38.12 (14) including students with disabilities in a district's vocational or applied learning  
38.13 program and ways to serve at-risk learners through collaboration with area learning  
38.14 centers under sections 123A.05 to 123A.09, or other alternative programs; and

38.15 (15) providing a warranty to employers, postsecondary education programs, and  
38.16 other postsecondary training programs, that learners successfully completing a high school  
38.17 work-based or applied learning program will be able to apply the knowledge and work  
38.18 skills included in the program outcomes or graduation requirements. The warranty shall  
38.19 require education and training programs to continue to work with those learners that need  
38.20 additional skill or English language development until they can demonstrate achievement  
38.21 of the program outcomes or graduation requirements.

38.22 Sec. 32. Minnesota Statutes 2012, section 124D.52, as amended by Laws 2013, chapter  
38.23 116, article 2, section 7, is amended to read:

38.24 **124D.52 ADULT BASIC EDUCATION.**

38.25 Subdivision 1. **Program requirements.** (a) An adult basic education program is a  
38.26 day or evening program offered by a district that is for people over 16 years of age who do  
38.27 not attend an elementary or secondary school. The program offers academic and English  
38.28 language instruction necessary to earn a high school diploma or equivalency certificate.

38.29 (b) Notwithstanding any law to the contrary, a school board or the governing body of  
38.30 a consortium offering an adult basic education program may adopt a sliding fee schedule  
38.31 based on a family's income, but must waive the fee for participants who are under the age  
38.32 of 21 or unable to pay. The fees charged must be designed to enable individuals of all  
38.33 socioeconomic levels to participate in the program. A program may charge a security  
38.34 deposit to assure return of materials, supplies, and equipment.

39.1 (c) Each approved adult basic education program must develop a memorandum of  
39.2 understanding with the local workforce development centers located in the approved  
39.3 program's service delivery area. The memorandum of understanding must describe how  
39.4 the adult basic education program and the workforce development centers will cooperate  
39.5 and coordinate services to provide unduplicated, efficient, and effective services to clients.

39.6 (d) Adult basic education aid must be spent for adult basic education purposes as  
39.7 specified in sections 124D.518 to 124D.531.

39.8 (e) A state-approved adult basic education program must count and submit student  
39.9 contact hours for a program that offers high school credit toward an adult high school  
39.10 diploma according to student eligibility requirements and measures of student progress  
39.11 toward work-based competency demonstration requirements and, where appropriate,  
39.12 English language proficiency requirements established by the commissioner and posted on  
39.13 the department Web site in a readily accessible location and format.

39.14 Subd. 2. **Program approval.** (a) To receive aid under this section, a district, a  
39.15 consortium of districts, the Department of Corrections, or a private nonprofit organization  
39.16 must submit an application by June 1 describing the program, on a form provided by  
39.17 the department. The program must be approved by the commissioner according to the  
39.18 following criteria:

39.19 (1) how the needs of different levels of learning and English language proficiency  
39.20 will be met;

39.21 (2) for continuing programs, an evaluation of results;

39.22 (3) anticipated number and education level of participants;

39.23 (4) coordination with other resources and services;

39.24 (5) participation in a consortium, if any, and money available from other participants;

39.25 (6) management and program design;

39.26 (7) volunteer training and use of volunteers;

39.27 (8) staff development services;

39.28 (9) program sites and schedules;

39.29 (10) program expenditures that qualify for aid;

39.30 (11) program ability to provide data related to learner outcomes as required by  
39.31 law; and

39.32 (12) a copy of the memorandum of understanding described in subdivision 1  
39.33 submitted to the commissioner.

39.34 (b) Adult basic education programs may be approved under this subdivision for  
39.35 up to five years. Five-year program approval must be granted to an applicant who has  
39.36 demonstrated the capacity to:

40.1 (1) offer comprehensive learning opportunities and support service choices  
40.2 appropriate for and accessible to adults at all basic skill ~~need~~ and English language levels  
40.3 of need;

40.4 (2) provide a participatory and experiential learning approach based on the strengths,  
40.5 interests, and needs of each adult, that enables adults with basic skill needs to:

40.6 (i) identify, plan for, and evaluate their own progress toward achieving their defined  
40.7 educational and occupational goals;

40.8 (ii) master the basic academic reading, writing, and computational skills, as well  
40.9 as the problem-solving, decision making, interpersonal effectiveness, and other life and  
40.10 learning skills they need to function effectively in a changing society;

40.11 (iii) locate and be able to use the health, governmental, and social services and  
40.12 resources they need to improve their own and their families' lives; and

40.13 (iv) continue their education, if they desire, to at least the level of secondary school  
40.14 completion, with the ability to secure and benefit from continuing education that will  
40.15 enable them to become more employable, productive, and responsible citizens;

40.16 (3) plan, coordinate, and develop cooperative agreements with community resources  
40.17 to address the needs that the adults have for support services, such as transportation, English  
40.18 language learning, flexible course scheduling, convenient class locations, and child care;

40.19 (4) collaborate with business, industry, labor unions, and employment-training  
40.20 agencies, as well as with family and occupational education providers, to arrange for  
40.21 resources and services through which adults can attain economic self-sufficiency;

40.22 (5) provide sensitive and well trained adult education personnel who participate in  
40.23 local, regional, and statewide adult basic education staff development events to master  
40.24 effective adult learning and teaching techniques;

40.25 (6) participate in regional adult basic education peer program reviews and evaluations;

40.26 (7) submit accurate and timely performance and fiscal reports;

40.27 (8) submit accurate and timely reports related to program outcomes and learner  
40.28 follow-up information; and

40.29 (9) spend adult basic education aid on adult basic education purposes only, which  
40.30 are specified in sections 124D.518 to 124D.531.

40.31 (c) The commissioner shall require each district to provide notification by February  
40.32 1, 2001, of its intent to apply for funds under this section as a single district or as part of  
40.33 an identified consortium of districts. A district receiving funds under this section must  
40.34 notify the commissioner by February 1 of its intent to change its application status for  
40.35 applications due the following June 1.

41.1 Subd. 3. **Accounts; revenue; aid.** (a) Each district, group of districts, or private  
41.2 nonprofit organization providing adult basic education programs must establish and  
41.3 maintain a reserve account within the community service fund for ~~the receipt~~ receiving  
41.4 and ~~disbursement of~~ disbursing all funds related to these programs. All revenue received  
41.5 ~~pursuant to~~ under this section must be ~~utilized~~ used solely for the purposes of adult basic  
41.6 education programs. State aid must not equal more than 100 percent of the unreimbursed  
41.7 expenses of providing these programs, excluding in-kind costs.

41.8 (b) For purposes of paragraph (a), an adult basic education program may include as  
41.9 valid expenditures for the previous fiscal year program spending that occurs from July  
41.10 1 to September 30 of the following year. A program may carry over a maximum of 20  
41.11 percent of its adult basic education aid revenue into the next fiscal year. Program spending  
41.12 may only be counted for one fiscal year.

41.13 (c) Notwithstanding section 123A.26 or any other law to the contrary, an adult basic  
41.14 education consortium providing an approved adult basic education program may be its own  
41.15 fiscal agent and is eligible to receive state-aid payments directly from the commissioner.

41.16 Subd. 4. **English as a second language programs.** Persons may teach English  
41.17 as a second language classes ~~conducted~~ at a worksite, if they meet the requirements  
41.18 of section 122A.19, subdivision 1, clause (a), regardless of whether they are licensed  
41.19 teachers. Persons teaching English as a second language for an approved adult basic  
41.20 education program must possess a bachelor's or master's degree in English as a second  
41.21 language, applied linguistics, or bilingual education, or a related degree ~~as~~ approved by  
41.22 the commissioner.

41.23 Subd. 5. **Basic service level.** A district, or a consortium of districts, with a program  
41.24 approved by the commissioner under subdivision 2 must establish, in consultation with the  
41.25 commissioner, a basic level of service for every adult basic education site in the district  
41.26 or consortium. The basic service level must describe minimum levels of academic and  
41.27 English language instruction and support services to be provided at each site. The program  
41.28 must set a basic service level that promotes effective learning and student achievement  
41.29 with measurable results. Each district or consortium of districts must submit its basic  
41.30 service level to the commissioner for approval.

41.31 Subd. 6. **Cooperative English as a second language and adult basic education**  
41.32 **programs.** (a) A school district, or adult basic education consortium that receives revenue  
41.33 under section 124D.531, may deliver English as a second language, citizenship, or other  
41.34 adult education programming in collaboration with community-based and nonprofit  
41.35 organizations located within its district or region, and with correctional institutions. The  
41.36 organization or correctional institution must have the demonstrated capacity to offer

42.1 education programs for adults. Community-based or nonprofit organizations must meet  
42.2 the criteria in paragraph (b), or have prior experience. A community-based or nonprofit  
42.3 organization or a correctional institution may be reimbursed for unreimbursed expenses  
42.4 as defined in section 124D.518, subdivision 5, for ~~the administration of~~ administering  
42.5 English as a second language or adult basic education programs, not to exceed eight  
42.6 percent of the total funds provided by a school district or adult basic education consortium.  
42.7 The administrative reimbursement for a school district or adult basic education consortium  
42.8 that delivers services cooperatively with a community-based or nonprofit organization  
42.9 or correctional institution is limited to five percent of the program aid, not to exceed the  
42.10 unreimbursed expenses of administering programs delivered by community-based or  
42.11 nonprofit organizations or correctional institutions.

42.12 (b) A community-based organization or nonprofit organization that delivers education  
42.13 services under this section must demonstrate that it has met the following criteria:

42.14 (1) be legally established as a nonprofit organization;

42.15 (2) have an established system for fiscal accounting and reporting that is consistent  
42.16 with the ~~Department of Education's~~ department's adult basic education completion report  
42.17 and reporting requirements under section 124D.531;

42.18 (3) require all instructional staff to complete a training course in teaching adult  
42.19 learners; and

42.20 (4) develop a learning plan for each student that identifies defined educational and  
42.21 occupational goals with measures to evaluate progress.

42.22 Subd. 7. **Performance tracking system.** (a) By July 1, 2000, each approved adult  
42.23 basic education program must develop and implement a performance tracking system to  
42.24 provide information necessary to comply with federal law and serve as one means of  
42.25 assessing the effectiveness of adult basic education programs. For required reporting,  
42.26 longitudinal studies, and program improvement, the tracking system must be designed to  
42.27 collect data on the following core outcomes for learners, including English learners, who  
42.28 have completed participating in the adult basic education program:

42.29 (1) demonstrated improvements in literacy skill levels in reading, writing, speaking  
42.30 the English language, numeracy, problem solving, English language acquisition, and  
42.31 other literacy skills;

42.32 (2) placement in, retention in, or completion of postsecondary education, training,  
42.33 unsubsidized employment, or career advancement;

42.34 (3) receipt of a secondary school diploma or its recognized equivalent; and

42.35 (4) reduction in participation in the diversionary work program, Minnesota family  
42.36 investment program, and food support education and training program.

43.1 (b) A district, group of districts, state agency, or private nonprofit organization  
43.2 providing an adult basic education program may meet this requirement by developing a  
43.3 tracking system based on either or both of the following methodologies:

43.4 (1) conducting a reliable follow-up survey; or

43.5 (2) submitting student information, including Social Security numbers for data  
43.6 matching.

43.7 Data related to obtaining employment must be collected in the first quarter following  
43.8 program completion or can be collected while the student is enrolled, if known. Data  
43.9 related to employment retention must be collected in the third quarter following program  
43.10 exit. Data related to any other specified outcome may be collected at any time during a  
43.11 program year.

43.12 (c) When a student in a program is requested to provide the student's Social Security  
43.13 number, the student must be notified in a written form easily understandable to the student  
43.14 that:

43.15 (1) providing the Social Security number is optional and no adverse action may be  
43.16 taken against the student if the student chooses not to provide the Social Security number;

43.17 (2) the request is made under section 124D.52, subdivision 7;

43.18 (3) if the student provides the Social Security number, it will be used to assess the  
43.19 effectiveness of the program by tracking the student's subsequent career; and

43.20 (4) the Social Security number will be shared with the Department of Education;  
43.21 Minnesota State Colleges and Universities; Office of Higher Education; Department of  
43.22 Human Services; and Department of Employment and Economic Development in order  
43.23 to accomplish the purposes described in paragraph (a) and will not be used for any other  
43.24 purpose or reported to any other governmental entities.

43.25 (d) Annually a district, group of districts, state agency, or private nonprofit  
43.26 organization providing programs under this section must forward the tracking data  
43.27 collected to the Department of Education. For the purposes of longitudinal studies on the  
43.28 employment status of former students under this section, the Department of Education  
43.29 must forward the Social Security numbers to the Department of Employment and  
43.30 Economic Development to electronically match the Social Security numbers of former  
43.31 students with wage detail reports filed under section 268.044. The results of data matches  
43.32 must, for purposes of this section and consistent with the requirements of the United  
43.33 States Code, title 29, section 2871, of the Workforce Investment Act of 1998, be compiled  
43.34 in a longitudinal form by the Department of Employment and Economic Development  
43.35 and released to the Department of Education in the form of summary data that does not  
43.36 identify the individual students. The Department of Education may release this summary

44.1 data. State funding for adult basic education programs must not be based on the number or  
 44.2 percentage of students who decline to provide their Social Security numbers or on whether  
 44.3 the program is evaluated by means of a follow-up survey instead of data matching.

44.4 Subd. 8. **Standard high school diploma for adults.** (a) The commissioner shall  
 44.5 adopt rules for providing a standard adult high school diploma to persons who:

44.6 (1) are not eligible for kindergarten through grade 12 services;

44.7 (2) do not have a high school diploma; and

44.8 (3) successfully complete an adult basic education program of instruction approved  
 44.9 by the commissioner of education necessary to earn an adult high school diploma.

44.10 (b) Persons participating in an approved adult basic education program of instruction  
 44.11 must demonstrate the competencies, knowledge, and skills and, where appropriate,  
 44.12 English language proficiency, sufficient to ensure that postsecondary programs and  
 44.13 institutions and potential employers regard persons with a standard high school diploma  
 44.14 and persons with a standard adult high school diploma as equally well prepared and  
 44.15 qualified graduates. Approved adult basic education programs of instruction under this  
 44.16 subdivision must issue a standard adult high school diploma to persons who successfully  
 44.17 demonstrate the competencies, knowledge, and skills required by the program.

44.18 Sec. 33. Minnesota Statutes 2012, section 124D.522, is amended to read:

44.19 **124D.522 ADULT BASIC EDUCATION SUPPLEMENTAL SERVICE**  
 44.20 **GRANTS.**

44.21 (a) The commissioner, in consultation with the policy review task force under  
 44.22 section 124D.521, may make grants to nonprofit organizations to provide services that are  
 44.23 not offered by a district adult basic education program or that are supplemental to either  
 44.24 the statewide adult basic education program, or a district's adult basic education program.  
 44.25 The commissioner may make grants for: staff development for adult basic education  
 44.26 teachers and administrators; training for volunteer tutors; training, services, and materials  
 44.27 for serving disabled students through adult basic education programs; statewide promotion  
 44.28 of adult basic education services and programs; development and dissemination of  
 44.29 instructional and administrative technology for adult basic education programs; programs  
 44.30 which primarily serve communities of color; adult basic education distance learning  
 44.31 projects, including television instruction programs; initiatives to accelerate English  
 44.32 language acquisition and the achievement of career- and college-ready skills among  
 44.33 English learners; and other supplemental services to support the mission of adult basic  
 44.34 education and innovative delivery of adult basic education services.

45.1 (b) The commissioner must establish eligibility criteria and grant application  
45.2 procedures. Grants under this section must support services throughout the state, focus  
45.3 on educational results for adult learners, and promote outcome-based achievement  
45.4 through adult basic education programs. Beginning in fiscal year 2002, the commissioner  
45.5 may make grants under this section from the state total adult basic education aid set  
45.6 aside for supplemental service grants under section 124D.531. Up to one-fourth of the  
45.7 appropriation for supplemental service grants must be used for grants for adult basic  
45.8 education programs to encourage and support innovations in adult basic education  
45.9 instruction and service delivery. A grant to a single organization cannot exceed 20 percent  
45.10 of the total supplemental services aid. Nothing in this section prevents an approved adult  
45.11 basic education program from using state or federal aid to purchase supplemental services.

45.12 Sec. 34. Minnesota Statutes 2012, section 124D.59, subdivision 2, is amended to read:

45.13 Subd. 2. **English learner.** (a) "English learner" means a pupil in kindergarten through  
45.14 grade 12 who meets the requirements under subdivision 2a or the following requirements:

45.15 (1) the pupil, as declared by a parent or guardian first learned a language other than  
45.16 English, comes from a home where the language usually spoken is other than English, or  
45.17 usually speaks a language other than English; and

45.18 (2) the pupil is determined by a valid assessment measuring the pupil's English  
45.19 language proficiency and by developmentally appropriate measures, which might include  
45.20 observations, teacher judgment, parent recommendations, or developmentally appropriate  
45.21 assessment instruments, to lack the necessary English skills to participate fully in  
45.22 academic classes taught in English.

45.23 (b) ~~Notwithstanding paragraph (a),~~ A pupil enrolled in a Minnesota public school  
45.24 in grades any grade 4 through 12 who was enrolled in a Minnesota public school on  
45.25 the dates during in the previous school year when a commissioner provided took a  
45.26 commissioner-provided assessment that measures measuring the pupil's emerging  
45.27 academic English was administered, shall not be counted as an English learner in  
45.28 calculating English learner pupil units under section 126C.05, subdivision 17, and shall not  
45.29 generate state English learner aid under section 124D.65, subdivision 5, unless if the pupil  
45.30 scored below the state cutoff score or is otherwise counted as a nonproficient participant  
45.31 on an the assessment measuring the pupil's emerging academic English provided by the  
45.32 commissioner during the previous school year or in the judgment of the pupil's classroom  
45.33 teachers, consistent with section 124D.61, clause (1), the pupil is unable to demonstrate  
45.34 academic language proficiency in English, including oral academic language, sufficient to  
45.35 successfully and fully participate in the general core curriculum in the regular classroom.

46.1 (c) Notwithstanding paragraphs (a) and (b), a pupil in kindergarten through grade  
46.2 12 shall not be counted as an English learner in calculating English learner pupil units  
46.3 under section 126C.05, subdivision 17, and shall not generate state English learner aid  
46.4 under section 124D.65, subdivision 5, if:

46.5 (1) the pupil is not enrolled during the current fiscal year in an educational program  
46.6 for English learners ~~in accordance with~~ under sections 124D.58 to 124D.64; or

46.7 (2) the pupil has generated five or more years of average daily membership in  
46.8 Minnesota public schools since July 1, 1996.

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

46.11 Sec. 35. Minnesota Statutes 2012, section 124D.59, is amended by adding a  
46.12 subdivision to read:

46.13 **Subd. 2a. English learner; interrupted formal education.** Consistent with  
46.14 subdivision 2, an English learner includes an English learner with an interrupted formal  
46.15 education who:

46.16 (1) comes from a home where the language usually spoken is other than English, or  
46.17 usually speaks a language other than English;

46.18 (2) enters school in the United States after grade 6;

46.19 (3) has at least two years less schooling than the English learner's peers;

46.20 (4) functions at least two years below expected grade level in reading and  
46.21 mathematics; and

46.22 (5) may be preliterate in the English learner's native language.

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

46.25 Sec. 36. Minnesota Statutes 2013 Supplement, section 124D.861, subdivision 3,  
46.26 is amended to read:

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

46.31 (b) A school board must hold at least one formal annual hearing to publicly report its  
46.32 progress in realizing the goals identified in its plan. At the hearing, the board must provide  
46.33 the public with longitudinal data demonstrating district and school progress in reducing

47.1 the disparities in student academic performance among the specified categories of students  
47.2 and in realizing racial and economic integration, consistent with the district plan and the  
47.3 measures in paragraph (a). At least 30 days before the formal hearing under this paragraph,  
47.4 the board must post its plan, its preliminary analysis, relevant student performance data,  
47.5 and other longitudinal data on the district's Web site. A district must hold one hearing to  
47.6 meet the hearing requirements of both this section and section 120B.11.

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

47.10 (d) The longitudinal data required under paragraph (a) must be based on student  
47.11 growth and progress in reading and mathematics, as defined under section 120B.30,  
47.12 subdivision 1, and student performance data and achievement reports from fully adaptive  
47.13 reading and mathematics assessments for grades 3 through 7 beginning in the 2015-2016  
47.14 school year under section 120B.30, subdivision 1a, and either (i) school enrollment  
47.15 choices, (ii) the number of world language proficiency or high achievement certificates  
47.16 awarded under section 120B.022, subdivision 1, ~~paragraphs (b) and (c)~~ 1a, or the number  
47.17 of state bilingual and multilingual seals issued under section 120B.022, subdivision 1b,  
47.18 or (iii) school safety and students' engagement and connection at school under section  
47.19 120B.35, subdivision 3, paragraph (d). Additional longitudinal data may be based on:  
47.20 students' progress toward career and college readiness under section 120B.30, subdivision  
47.21 1; or rigorous coursework completed under section 120B.35, subdivision 3, paragraph  
47.22 (c), clause (2).

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

47.25 Sec. 37. Minnesota Statutes 2012, section 124D.895, is amended to read:

47.26 **124D.895 PARENTAL INVOLVEMENT PROGRAMS.**

47.27 Subdivision 1. **Program goals.** The department, in consultation with the state  
47.28 curriculum advisory committee, must develop guidelines and model plans for parental  
47.29 involvement programs that will:

47.30 (1) engage the interests and talents of parents or guardians in recognizing and  
47.31 meeting the emotional, intellectual, native and English language development, and  
47.32 physical needs of their school-age children;

47.33 (2) promote healthy self-concepts among parents or guardians and other family  
47.34 members;

48.1 (3) offer parents or guardians a chance to share and learn about educational skills,  
48.2 techniques, and ideas;

48.3 (4) provide creative learning experiences for parents or guardians and their  
48.4 school-age children, including involvement from parents or guardians of color;

48.5 (5) encourage parents to actively participate in their district's curriculum advisory  
48.6 committee under section 120B.11 in order to assist the school board in improving  
48.7 children's education programs; and

48.8 (6) encourage parents to help in promoting school desegregation/integration under  
48.9 sections 124D.861 and 124D.862.

48.10 Subd. 2. **Plan contents.** Model plans for a parental involvement program must  
48.11 include at least the following:

48.12 (1) program goals;

48.13 (2) means for achieving program goals;

48.14 (3) methods for informing parents or guardians, in a timely way, about the program;

48.15 (4) strategies for ensuring the full participation of parents or guardians, including  
48.16 those parents or guardians who lack literacy skills or whose native language is not English,  
48.17 including the involvement from of parents or guardians of color;

48.18 (5) procedures for coordinating the program with kindergarten through grade 12  
48.19 curriculum, with parental involvement programs currently available in the community,  
48.20 with the ~~process under sections 120B.10 to~~ world's best workforce under section 120B.11,  
48.21 and with other education facilities located in the community;

48.22 (6) strategies for training teachers and other school staff to work effectively with  
48.23 parents and guardians;

48.24 (7) procedures for parents or guardians and educators to evaluate and report progress  
48.25 toward program goals; and

48.26 (8) a mechanism for convening a local community advisory committee composed  
48.27 primarily of parents or guardians to advise a district on implementing a parental  
48.28 involvement program.

48.29 Subd. 3. **Plan activities.** Activities contained in the model plans must include:

48.30 (1) educational opportunities for families that enhance children's learning and native  
48.31 and English language development;

48.32 (2) educational programs for parents or guardians on families' educational  
48.33 responsibilities and resources;

48.34 (3) the hiring, training, and use of parental involvement liaison workers to  
48.35 coordinate family involvement activities and to foster linguistic and culturally competent

- 49.1 communication among families, educators, and students, consistent with the definition of  
 49.2 culturally competent under section 120B.30, subdivision 1, paragraph (1);
- 49.3 (4) curriculum materials and assistance in implementing home and community-based  
 49.4 learning activities that reinforce and extend classroom instruction and student motivation;
- 49.5 (5) technical assistance, including training to design and carry out family  
 49.6 involvement programs;
- 49.7 (6) parent resource centers;
- 49.8 (7) parent training programs and reasonable and necessary expenditures associated  
 49.9 with parents' attendance at training sessions;
- 49.10 (8) reports to parents on children's progress;
- 49.11 (9) use of parents as classroom volunteers, or as volunteers in before and after  
 49.12 school programs for school-age children, tutors, and aides;
- 49.13 (10) soliciting parents' suggestions in planning, developing, and implementing  
 49.14 school programs;
- 49.15 (11) educational programs and opportunities for parents or guardians that are  
 49.16 multicultural, multilingual, gender fair, and disability sensitive;
- 49.17 (12) involvement in a district's curriculum advisory committee or a school building  
 49.18 team under section 120B.11; and
- 49.19 (13) opportunities for parent involvement in developing, implementing, or evaluating  
 49.20 school and district desegregation/integration plans under sections 124D.861 and 124D.862.

49.21 Sec. 38. Minnesota Statutes 2012, section 124D.8955, is amended to read:

49.22 **124D.8955 PARENT AND FAMILY INVOLVEMENT POLICY.**

49.23 (a) In order to promote and support student achievement, a local school board is  
 49.24 encouraged to formally adopt and implement a parent and family involvement policy that  
 49.25 promotes and supports:

- 49.26 (1) oral and written communication between home and school that is regular,  
 49.27 two-way, ~~and meaningful~~, and in families' native language;
- 49.28 (2) parenting skills;
- 49.29 (3) parents and caregivers who play an integral role in assisting student learning and  
 49.30 learn about fostering students' academic success and learning at home and school;
- 49.31 (4) welcoming parents in the school and using networks that support families'  
 49.32 cultural connections, seeking their support and assistance;
- 49.33 (5) partnerships with parents in the decisions that affect children and families  
 49.34 in the schools; and

50.1 (6) providing community resources to strengthen schools, families, and student  
50.2 learning.

50.3 (b) A school board that implements a parent and family involvement policy under  
50.4 paragraph (a) must convene an advisory committee composed of an equal number of  
50.5 resident parents who are not district employees and school staff to make recommendations  
50.6 to the board on developing and evaluating the board's parent and family involvement  
50.7 policy. If possible, the advisory committee must represent the diversity of the district. The  
50.8 advisory committee must consider the district's demographic diversity and barriers to  
50.9 parent involvement when developing its recommendations. The advisory committee must  
50.10 present its recommendations to the board for board consideration.

50.11 (c) The board must consider research-based best practices when implementing  
50.12 this policy.

50.13 (d) The board periodically must review this policy to determine whether it is aligned  
50.14 with the most current research findings on parent involvement policies and practices and  
50.15 how effective the policy is in supporting increased student achievement.

50.16 (e) Nothing in this section obligates a school district to exceed any parent or family  
50.17 involvement requirement under federal law.

50.18 Sec. 39. Minnesota Statutes 2013 Supplement, section 127A.70, subdivision 2, is  
50.19 amended to read:

50.20 Subd. 2. **Powers and duties; report.** (a) The partnership shall develop  
50.21 recommendations to the governor and the legislature designed to maximize the achievement  
50.22 of all P-20 students while promoting the efficient use of state resources, thereby helping  
50.23 the state realize the maximum value for its investment. These recommendations may  
50.24 include, but are not limited to, strategies, policies, or other actions focused on:

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

50.27 (2) improving preparation for, and transitions to, postsecondary education and  
50.28 work; and

50.29 (3) ensuring educator quality by creating rigorous standards for teacher recruitment,  
50.30 teacher preparation, induction and mentoring of beginning teachers, and continuous  
50.31 professional development for career teachers.

50.32 (b) Under the direction of the P-20 Education Partnership Statewide Longitudinal  
50.33 Education Data System Governance Committee, the Office of Higher Education and the  
50.34 Departments of Education and Employment and Economic Development shall improve  
50.35 and expand the Statewide Longitudinal Education Data System (SLEDS) to provide

51.1 policymakers, education and workforce leaders, researchers, and members of the public  
51.2 with data, research, and reports to:

51.3 (1) expand reporting on students' educational outcomes for diverse student  
51.4 populations including at-risk students, children with disabilities, English learners, and  
51.5 gifted students, among others, and include formative and summative evaluations based on  
51.6 multiple measures of student progress toward career and college readiness;

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

51.8 (3) evaluate the relationship between education and workforce outcomes, consistent  
51.9 with section 124D.49.

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

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

51.20 (c) By January 15 of each year, the partnership shall submit a report to the governor  
51.21 and to the chairs and ranking minority members of the legislative committees and  
51.22 divisions with jurisdiction over P-20 education policy and finance that summarizes the  
51.23 partnership's progress in meeting its goals and identifies the need for any draft legislation  
51.24 when necessary to further the goals of the partnership to maximize student achievement  
51.25 while promoting efficient use of resources.

51.26 Sec. 40. **REVIEW OF WORLD LANGUAGE COMPETENCIES.**

51.27 The commissioner of education and the Minnesota State Colleges and Universities  
51.28 (MnSCU) chancellor, after consulting with the world language faculty at the University of  
51.29 Minnesota and MnSCU, must review the specific competencies a K-12 student masters in  
51.30 attaining a state bilingual seal, multilingual seal, Minnesota World Language Proficiency  
51.31 Certificate, or Minnesota World Language Proficiency High Achievement Certificate  
51.32 under Minnesota Statutes, section 120B.22, subdivisions 1a and 1b, and determine credit  
51.33 and course equivalencies for each seal or certificate. The commissioner and the chancellor,  
51.34 or their designees, must report findings, determinations, and any recommendations to the  
51.35 education policy and finance committees of the legislature by February 15, 2015.

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

52.2 Sec. 41. **REPEALER.**

52.3 Minnesota Statutes 2012, section 122A.19, subdivision 3, is repealed effective the  
52.4 day following final enactment.

## 52.5 **ARTICLE 2**

### 52.6 **GENERAL EDUCATION**

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

52.8 Subdivision 1. **Providing transportation.** The board may provide for the  
52.9 transportation of pupils to and from school and for any other purpose. The board may  
52.10 also provide for the transportation of pupils to schools in other districts for grades and  
52.11 departments not maintained in the district, including high school, at the expense of  
52.12 the district, when funds are available therefor and if agreeable to the district to which  
52.13 it is proposed to transport the pupils, for the whole or a part of the school year, as it  
52.14 may deem advisable, and subject to its rules. In any district, the board must arrange  
52.15 for the attendance of all pupils living two miles or more from the school, except pupils  
52.16 whose transportation privileges have been voluntarily surrendered under subdivision 2,  
52.17 or whose privileges have been revoked under section 123B.91, subdivision 1, clause  
52.18 (6), or 123B.90, subdivision 2. The district may provide for the transportation of or the  
52.19 boarding and rooming of the pupils who may be more economically and conveniently  
52.20 provided for by that means. Arrangements for attendance may include a requirement  
52.21 that parents or guardians request transportation before it is provided. The board must  
52.22 provide transportation to and from the home of a child with a disability not yet enrolled in  
52.23 kindergarten when special instruction and services under sections 125A.03 to 125A.24,  
52.24 125A.26 to 125A.48, and 125A.65 are provided in a ~~location other than in the child's home~~  
52.25 district facility, a placement contracted for by the district, or a Head Start program if the  
52.26 Head Start program does not otherwise provide transportation. When transportation is  
52.27 provided, scheduling of routes, establishment of the location of bus stops, manner and  
52.28 method of transportation, control and discipline of school children, the determination of  
52.29 fees, and any other matter relating thereto must be within the sole discretion, control, and  
52.30 management of the board. The district may provide for the transportation of pupils or  
52.31 expend a reasonable amount for room and board of pupils whose attendance at school can  
52.32 more economically and conveniently be provided for by that means or who attend school  
52.33 in a building rented or leased by a district within the confines of an adjacent district.

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

53.3 Subd. 2b. **Continued enrollment for students placed in foster care.**

53.4 Notwithstanding subdivision 2, a pupil who has been enrolled in a district who is placed  
53.5 in foster care in another district may continue to enroll in the prior district without the  
53.6 approval of the board of the prior district. The approval of the board where the pupil's  
53.7 foster home is located is not required.

53.8 Sec. 3. Laws 2012, chapter 263, section 1, is amended to read:

53.9 Section 1. **INNOVATIVE DELIVERY OF EDUCATION SERVICES AND**  
53.10 **SHARING OF DISTRICT RESOURCES; PILOT PROJECT.**

53.11 Subdivision 1. **Establishment; requirements for participation.** (a) A ~~five-year~~  
53.12 ~~pilot project for the 2013-2014 through 2017-2018 school years~~ is established to improve  
53.13 student and school outcomes by allowing groups of school districts to work together to  
53.14 provide innovative education programs and activities and share district resources. The  
53.15 pilot project may last until June 30, 2018, or for up to five years, whichever is less, except  
53.16 that innovation partnerships formed during the period of the pilot project may continue  
53.17 past June 30, 2018, with the agreement of the partnership members.

53.18 (b) To participate in this pilot project to improve student and school outcomes, a  
53.19 group of two or more school districts must collaborate with school staff and receive formal  
53.20 school board approval to form a partnership. The partnership must develop a plan to  
53.21 provide challenging programmatic options for students, create professional development  
53.22 opportunities for educators, increase student engagement and connection and challenging  
53.23 learning opportunities for students, or demonstrate efficiencies in delivering financial and  
53.24 other services. The plan must establish:

53.25 (1) collaborative educational goals and objectives;

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

53.28 (3) valid and reliable measures to evaluate progress in realizing the goals and  
53.29 objectives;

53.30 (4) an implementation timeline; and

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

53.33 A partnership may invite additional districts to join the partnership during the pilot  
53.34 project term after notifying the commissioner.

54.1 (c) A partnership of interested districts must apply by February 1, ~~2013~~, of any year  
54.2 to the education commissioner in the form and manner the commissioner determines,  
54.3 consistent with this section. The application must contain the formal approval adopted by  
54.4 the school board in each district to participate in the plan.

54.5 (d) Notwithstanding other law to the contrary, a participating school district under  
54.6 this section continues to: receive revenue and maintain its taxation authority; be organized  
54.7 and governed by an elected school board with general powers under Minnesota Statutes,  
54.8 section 123B.02; and be subject to employment agreements under Minnesota Statutes,  
54.9 chapter 122A, and Minnesota Statutes, section 179A.20; and district employees continue  
54.10 to remain employees of the employing school district.

54.11 Subd. 2. **Commissioner's role.** Interested groups of school districts must submit  
54.12 a completed application to the commissioner by March 1, ~~2013~~, of any year in the form  
54.13 and manner determined by the commissioner. The education commissioner must convene  
54.14 an advisory panel composed of a teacher appointed by Education Minnesota, a school  
54.15 principal appointed by the Minnesota Association of Secondary School Principals, a  
54.16 school board member appointed by the Minnesota School Boards Association, and a  
54.17 school superintendent appointed by the Minnesota Association of School Administrators  
54.18 to advise the commissioner on applicants' qualifications to participate in this pilot project.  
54.19 The commissioner ~~must select between three and~~ may select up to six qualified applicants  
54.20 under subdivision 1 by April 1, ~~2013~~, of any year to participate in this pilot project,  
54.21 ensuring an equitable geographical distribution of project participants to the extent  
54.22 practicable. The commissioner must select only those applicants that fully comply with  
54.23 the requirements in subdivision 1. The commissioner must terminate a project participant  
54.24 that fails to effectively implement the goals and objectives contained in its application and  
54.25 according to its stated timeline.

54.26 Subd. 3. **Pilot project evaluation.** Participating school districts must submit pilot  
54.27 project data to the commissioner in the form and manner determined by the commissioner.  
54.28 The education commissioner must analyze participating districts' progress in realizing  
54.29 their educational goals and objectives to work together in providing innovative education  
54.30 programs and activities and sharing resources. The commissioner must include the  
54.31 analysis of best practices in a report to the legislative committees with jurisdiction over  
54.32 kindergarten through grade 12 education finance and policy on the efficacy of this pilot  
54.33 project. The commissioner ~~may~~ shall submit an interim project report ~~at any time by~~  
54.34 February 1, 2016, and must submit a final report to the legislature by February 1, ~~2018~~  
54.35 2019, recommending whether or not to continue or expand the pilot project.

55.1 Sec. 4. Laws 2012, chapter 263, section 1, the effective date, is amended to read:

55.2 **EFFECTIVE DATE.** This section is effective the day following final enactment  
55.3 ~~and applies to the 2013-2014 through 2017-2018 school years.~~

55.4 Sec. 5. **REPEALER.**

55.5 Minnesota Statutes 2012, sections 123B.15; 123B.16; 123B.17; 123B.18; 123B.26;  
55.6 and 123B.27, are repealed.

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

### 55.8 ARTICLE 3

### 55.9 EDUCATION EXCELLENCE

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

55.11 Subd. 6. **Admissions forms; remedial instruction.** (a) Minnesota postsecondary  
55.12 education institutions, for purposes of reporting and research, may collect on the  
55.13 1986-1987 admissions form, and disseminate to any public educational agency or  
55.14 institution the following data on individuals: student sex, ethnic background, age, and  
55.15 disabilities. The data shall not be required of any individual and shall not be used for  
55.16 purposes of determining the person's admission to an institution.

55.17 (b) A school district that receives information under subdivision 3, paragraph  
55.18 (h) from a postsecondary institution about an identifiable student shall maintain the  
55.19 data as educational data and use that data to conduct studies to improve instruction.  
55.20 ~~Public postsecondary systems annually shall provide summary data to the Department~~  
55.21 ~~of Education indicating~~ as part of their participation in the Statewide Longitudinal  
55.22 Education Data System shall provide data on the extent and content of the remedial  
55.23 ~~instruction received in each system during the prior academic year by individual students,~~  
55.24 and the results of assessment testing and the academic performance of, students who  
55.25 graduated from a Minnesota school district within two years before receiving the remedial  
55.26 instruction. ~~The department~~ Office of Higher Education, in collaboration with the  
55.27 Department of Education, shall evaluate the data and annually report its findings to the  
55.28 education committees of the legislature.

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

55.30 Sec. 2. Minnesota Statutes 2013 Supplement, section 120A.22, subdivision 5, is  
55.31 amended to read:

56.1 Subd. 5. **Ages and terms.** (a) Every child between seven and 17 years of age must  
56.2 receive instruction unless the child has graduated. Every child under the age of seven who  
56.3 is enrolled in a half-day kindergarten, or a full-day kindergarten program on alternate days,  
56.4 or other kindergarten programs shall receive instruction. Except as provided in subdivision  
56.5 6, a parent may withdraw a child under the age of seven from enrollment at any time.

56.6 (b) A school district by annual board action may require children subject to this  
56.7 subdivision to receive instruction in summer school. A district that acts to require children  
56.8 to receive instruction in summer school shall establish at the time of its action the criteria  
56.9 for determining which children must receive instruction.

56.10 ~~(c) A pupil 16 years of age or older who meets the criteria of section 124D.68,~~  
56.11 ~~subdivision 2, may be assigned to an area learning center. Such assignment may be made~~  
56.12 ~~only after consultation with the principal, area learning center director, and parent or~~  
56.13 ~~guardian.~~

56.14 Sec. 3. Minnesota Statutes 2013 Supplement, section 120B.021, subdivision 4, is  
56.15 amended to read:

56.16 Subd. 4. **Revisions and reviews required.** (a) The commissioner of education must  
56.17 revise and appropriately embed technology and information literacy standards consistent  
56.18 with recommendations from school media specialists into the state's academic standards  
56.19 and graduation requirements and implement a ten-year cycle to review and revise state  
56.20 academic standards and related benchmarks, consistent with this subdivision. During each  
56.21 ten-year review and revision cycle, the commissioner also must examine the alignment  
56.22 of each required academic standard and related benchmark with the knowledge and  
56.23 skills students need for career and college readiness and advanced work in the particular  
56.24 subject area. The commissioner must include the contributions of Minnesota American  
56.25 Indian tribes and communities as related to the academic standards during the review and  
56.26 revision of the required academic standards.

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

56.33 (c) The commissioner must implement a review of and, consistent with the review,  
56.34 revise the academic standards and related benchmarks in arts beginning in the 2016-2017  
56.35 school year and every ten years thereafter.

57.1 (d) The commissioner must implement a review of and, consistent with the review,  
57.2 revise the academic standards and related benchmarks in science beginning in the  
57.3 2017-2018 school year and every ten years thereafter.

57.4 (e) The commissioner must implement a review of and, consistent with the review,  
57.5 revise the academic standards and related benchmarks in language arts beginning in the  
57.6 2018-2019 school year and every ten years thereafter.

57.7 (f) The commissioner must implement a review of and, consistent with the review,  
57.8 revise the academic standards and related benchmarks in social studies beginning in the  
57.9 2019-2020 school year and every ten years thereafter.

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

57.16 Sec. 4. Minnesota Statutes 2013 Supplement, section 120B.11, subdivision 1, is  
57.17 amended to read:

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

57.20 (a) "Instruction" means methods of providing learning experiences that enable  
57.21 a student to meet state and district academic standards and graduation requirements  
57.22 including applied and experiential learning.

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

57.26 (c) "World's best workforce" means striving to: meet school readiness goals; have  
57.27 all third grade students achieve grade-level literacy; close the academic achievement gap  
57.28 among all racial and ethnic groups of students and between students living in poverty and  
57.29 students not living in poverty; have all students attain career and college readiness before  
57.30 graduating from high school; and have all students graduate from high school.

57.31 (d) "Experiential learning" means learning for students that includes career  
57.32 exploration through a specific class or course or through work-based experiences such as  
57.33 job shadowing, mentoring, entrepreneurship, service learning, volunteering, internships,  
57.34 other cooperative work experience, youth apprenticeship, or employment.

58.1 Sec. 5. Minnesota Statutes 2013 Supplement, section 120B.11, subdivision 1a, is  
58.2 amended to read:

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

- 58.5 (1) student performance on the National ~~Association~~ Assessment of Education  
58.6 Progress where applicable;
- 58.7 (2) the size of the academic achievement gap by student subgroup;
- 58.8 (3) student performance on the Minnesota Comprehensive Assessments;
- 58.9 (4) high school graduation rates; and
- 58.10 (5) career and college readiness under section 120B.30, subdivision 1.

58.11 Sec. 6. Minnesota Statutes 2013 Supplement, section 120B.115, is amended to read:

58.12 **120B.115 REGIONAL CENTERS OF EXCELLENCE.**

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

- 58.23 (1) defining measurable education goals under section 120B.11, subdivision 2;
- 58.24 (2) implementing evidence-based practices, including applied and experiential  
58.25 learning, contextualized learning, competency-based curricula and assessments, and other  
58.26 nontraditional learning opportunities, among other 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 state and local  
58.30 academic standards and career and college readiness benchmarks; and
- 58.31 (6) engaging parents, families, youth, and local community members in programs  
58.32 and activities at the school district, school site, or charter school.

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

59.1 (b) The department must assist the regional centers of excellence to meet staff,  
 59.2 facilities, and technical needs, provide the centers with programmatic support, and work  
 59.3 with the centers to establish a coherent statewide system of regional support, including  
 59.4 consulting, training, and technical support, to help school boards, school districts, school  
 59.5 sites, and charter schools effectively and efficiently implement the world's best workforce  
 59.6 goals under section 120B.11 and other state and federal education initiatives, including  
 59.7 secondary and postsecondary career pathways and technical education.

59.8 Sec. 7. Minnesota Statutes 2013 Supplement, section 120B.125, is amended to read:

59.9 **120B.125 PLANNING FOR STUDENTS' SUCCESSFUL TRANSITION**  
 59.10 **TO POSTSECONDARY EDUCATION AND EMPLOYMENT; INVOLUNTARY**  
 59.11 **~~CAREER TRACKING PROHIBITED~~ PERSONAL LEARNING PLANS.**

59.12 (a) Consistent with sections 120B.128, 120B.13, 120B.131, 120B.132, 120B.14,  
 59.13 120B.15, 120B.30, subdivision 1, paragraph (c), 125A.08, and other related sections,  
 59.14 school districts, beginning in the 2013-2014 school year, must assist all students by no  
 59.15 later than grade 9 to explore their educational, college, and career interests, aptitudes, and  
 59.16 aspirations and develop a plan for a smooth and successful transition to postsecondary  
 59.17 education or employment. All students' plans must be designed to:

59.18 (1) provide a comprehensive ~~academic plan for completing~~ to prepare for and  
 59.19 complete a college and career-ready career and college-ready curriculum premised on  
 59.20 by meeting state and local academic standards and developing 21st-century career and  
 59.21 employment-related skills such as team work, collaboration, and good work habits;

59.22 (2) emphasize academic rigor and high expectations;

59.23 (3) help students identify interests, aptitudes, aspirations, and personal learning  
 59.24 styles that may affect their career and college-ready goals and postsecondary education  
 59.25 and employment choices;

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

59.28 ~~(4)~~ (5) help students ~~gain access to postsecondary~~ education and career options;

59.29 ~~(5)~~ (6) integrate strong academic content into career-focused courses and applied  
 59.30 and experiential learning opportunities and integrate relevant career-focused courses and  
 59.31 applied and experiential learning opportunities into strong academic content;

59.32 ~~(6)~~ (7) help students and families identify and ~~gain access to~~ appropriate counseling  
 59.33 and other supports and assistance that enable students to complete required coursework,  
 59.34 prepare for postsecondary education and careers, and obtain information about  
 59.35 postsecondary education costs and eligibility for financial aid and scholarship;

60.1 ~~(7)~~ (8) help students and families identify collaborative partnerships of among  
 60.2 kindergarten through grade 12 schools, postsecondary institutions, economic development  
 60.3 agencies, and local and regional employers that support students' transition to  
 60.4 postsecondary education and employment and provide students with applied and  
 60.5 experiential learning opportunities; and

60.6 ~~(8)~~ (9) be reviewed and revised at least annually by the student, the student's parent or  
 60.7 guardian, and the school or district to ensure that the student's course-taking schedule keeps  
 60.8 the student making adequate progress to meet state and local academic standards and high  
 60.9 school graduation requirements and with a reasonable chance to succeed with employment  
 60.10 or postsecondary education without the need to first complete remedial course work.

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

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

60.17 Sec. 8. Minnesota Statutes 2013 Supplement, section 120B.30, subdivision 1, is  
 60.18 amended to read:

60.19 Subdivision 1. **Statewide testing.** (a) The commissioner, with advice from experts  
 60.20 with appropriate technical qualifications and experience and stakeholders, consistent  
 60.21 with subdivision 1a, shall include in the comprehensive assessment system, for each  
 60.22 grade level to be tested, state-constructed tests developed as computer-adaptive reading  
 60.23 and mathematics assessments for students that are aligned with the state's required  
 60.24 academic standards under section 120B.021, include multiple choice questions, and are  
 60.25 administered annually to all students in grades 3 through 7. Reading and mathematics  
 60.26 assessments for all students in grade 8 must be aligned with the state's required reading and  
 60.27 mathematics standards, be administered annually, and include multiple choice questions.  
 60.28 State-developed high school tests aligned with the state's required academic standards  
 60.29 under section 120B.021 and administered to all high school students in a subject other than  
 60.30 writing must include multiple choice questions. The commissioner shall establish one or  
 60.31 more months during which schools shall administer the tests to students each school year.

60.32 (1) Students enrolled in grade 8 through the 2009-2010 school year are eligible  
 60.33 to be assessed under (i) the graduation-required assessment for diploma in reading,  
 60.34 mathematics, or writing under Minnesota Statutes 2012, section 120B.30, subdivision 1,  
 60.35 paragraphs (c), clauses (1) and (2), and (d), (ii) the WorkKeys job skills assessment, (iii)

61.1 the Compass college placement test, (iv) the ACT assessment for college admission, or (v)  
61.2 a nationally recognized armed services vocational aptitude test.

61.3 (2) Students enrolled in grade 8 in the 2010-2011 or 2011-2012 school year are  
61.4 eligible to be assessed under (i) the graduation-required assessment for diploma in reading,  
61.5 mathematics, or writing under Minnesota Statutes 2012, section 120B.30, subdivision  
61.6 1, paragraph (c), clauses (1) and (2), (ii) the WorkKeys job skills assessment, (iii) the  
61.7 Compass college placement test, (iv) the ACT assessment for college admission, or (v) a  
61.8 nationally recognized armed services vocational aptitude test.

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

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

61.13 (1) mathematics;

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

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

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

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

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

61.24 (1) demonstrate understanding of required academic standards on a nationally  
61.25 normed college entrance exam;

61.26 (2) achievement and career and college readiness tests in mathematics, reading, and  
61.27 writing, consistent with paragraph (e) and to the extent available, to monitor students'  
61.28 continuous development of and growth in requisite knowledge and skills; analyze  
61.29 students' progress and performance levels, identifying students' academic strengths and  
61.30 diagnosing areas where students require curriculum or instructional adjustments, targeted  
61.31 interventions, or remediation; and, based on analysis of students' progress and performance  
61.32 data, determine students' learning and instructional needs and the instructional tools and  
61.33 best practices that support academic rigor for the student; and

61.34 (3) consistent with this paragraph and section 120B.125, age-appropriate exploration  
61.35 and planning activities and career assessments to encourage students to identify personally  
61.36 relevant career interests and aptitudes and help students and their families develop a

62.1 regularly reexamined transition plan for postsecondary education or employment without  
62.2 need for postsecondary remediation.

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

62.6 Expectations of schools, districts, and the state for career or college readiness under  
62.7 this subdivision must be comparable in rigor, clarity of purpose, and rates of student  
62.8 completion. A student under clause (2) must receive targeted, relevant, academically  
62.9 rigorous, and resourced instruction, which may include a targeted instruction and  
62.10 intervention plan focused on improving the student's knowledge and skills in core subjects  
62.11 so that the student has a reasonable chance to succeed in a career or college without need  
62.12 for postsecondary remediation. Consistent with sections 120B.13, 124D.09, 124D.091,  
62.13 124D.49, and related sections, an enrolling school or district must actively encourage a  
62.14 student in grade 11 or 12 who is identified as academically ready for a career or college  
62.15 to participate in courses and programs awarding college credit to high school students.  
62.16 Students are not required to achieve a specified score or level of proficiency on an  
62.17 assessment under this subdivision to graduate from high school.

62.18 (d) To improve the secondary and postsecondary outcomes of all students, the  
62.19 alignment between secondary and postsecondary education programs and Minnesota's  
62.20 workforce needs, and the efficiency and cost-effectiveness of secondary and postsecondary  
62.21 programs, the commissioner, after consulting with the chancellor of the Minnesota State  
62.22 Colleges and Universities and using a request for proposal process, shall contract for  
62.23 a series of assessments that are consistent with this subdivision, aligned with state  
62.24 academic standards, and include career and college readiness benchmarks. Mathematics,  
62.25 reading, and writing assessments for students in grades 8 and 10 must be predictive of a  
62.26 nationally normed assessment for career and college readiness. This nationally recognized  
62.27 assessment must be a college entrance exam and given to students in grade 11. This  
62.28 series of assessments must include a college placement diagnostic exam and contain  
62.29 career exploration elements. The commissioner and the chancellor of the Minnesota  
62.30 State Colleges and Universities must collaborate in aligning instruction and assessments  
62.31 for adult basic education students and English learners to provide the students with  
62.32 diagnostic information about any targeted interventions, accommodations, modifications,  
62.33 and supports they need so that assessments and other performance measures are accessible  
62.34 to them and they may seek postsecondary education or employment without need for  
62.35 postsecondary remediation.

63.1 (1) Districts and schools, on an annual basis, must use the career exploration  
63.2 elements in these assessments to help students, beginning no later than grade 9, and their  
63.3 families explore and plan for postsecondary education or careers based on the students'  
63.4 interests, aptitudes, and aspirations. Districts and schools must use timely regional labor  
63.5 market information and partnerships, among other resources, to help students and their  
63.6 families successfully develop, pursue, review, and revise an individualized plan for  
63.7 postsecondary education or a career. This process must help increase students' engagement  
63.8 in and connection to school, improve students' knowledge and skills, and deepen students'  
63.9 understanding of career pathways as a sequence of academic and career courses that lead  
63.10 to an industry-recognized credential, an associate's degree, or a bachelor's degree and are  
63.11 available to all students, whatever their interests and career goals.

63.12 (2) Students in grade 10 or 11 not yet academically ready for a career or college based  
63.13 on their growth in academic achievement between grades 8 and 10 must take the college  
63.14 placement diagnostic exam before taking the college entrance exam under clause (3).  
63.15 Students, their families, the school, and the district can then use the results of the college  
63.16 placement diagnostic exam for targeted instruction, intervention, or remediation and  
63.17 improve students' knowledge and skills in core subjects sufficient for a student to graduate  
63.18 and have a reasonable chance to succeed in a career or college without remediation.

63.19 (3) All students except those eligible for alternative assessments must be given the  
63.20 college entrance part of these assessments in grade 11. A student under this clause who  
63.21 demonstrates attainment of required state academic standards, which include career and  
63.22 college readiness benchmarks, on these assessments is academically ready for a career or  
63.23 college and is encouraged to participate in courses awarding college credit to high school  
63.24 students. Such courses and programs may include sequential courses of study within  
63.25 broad career areas and technical skill assessments that extend beyond course grades.

63.26 (4) As appropriate, students through grade 12 must continue to participate in targeted  
63.27 instruction, intervention, or remediation and be encouraged to participate in courses  
63.28 awarding college credit to high school students.

63.29 (5) A study to determine the alignment between these assessments and state  
63.30 academic standards under this chapter must be conducted. Where alignment exists, the  
63.31 commissioner must seek federal approval to, and immediately upon receiving approval,  
63.32 replace the federally required assessments referenced under subdivision 1a and section  
63.33 120B.35, subdivision 2, with assessments under this paragraph.

63.34 (e) In developing, supporting, and improving students' academic readiness for a  
63.35 career or college, schools, districts, and the state must have a continuum of empirically  
63.36 derived, clearly defined benchmarks focused on students' attainment of knowledge and

64.1 skills so that students, their parents, and teachers know how well students must perform to  
64.2 have a reasonable chance to succeed in a career or college without need for postsecondary  
64.3 remediation. The commissioner, in consultation with local school officials and educators,  
64.4 and Minnesota's public postsecondary institutions must ensure that the foundational  
64.5 knowledge and skills for students' successful performance in postsecondary employment  
64.6 or education and an articulated series of possible targeted interventions are clearly  
64.7 identified and satisfy Minnesota's postsecondary admissions requirements.

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

64.11 (g) The school board granting students their diplomas may formally decide to  
64.12 include a notation of high achievement on the high school diplomas of those graduating  
64.13 seniors who, according to established school board criteria, demonstrate exemplary  
64.14 academic achievement during high school.

64.15 (h) The 3rd through 7th grade computer-adaptive assessment results and grade 8  
64.16 and high school test results shall be available to districts for diagnostic purposes affecting  
64.17 student learning and district instruction and curriculum, and for establishing educational  
64.18 accountability. The commissioner must establish empirically derived benchmarks on  
64.19 adaptive assessments in grades 3 through 7 that reveal a trajectory toward career and  
64.20 college readiness. The commissioner must disseminate to the public the computer-adaptive  
64.21 assessments, grade 8, and high school test results upon receiving those results.

64.22 (i) The grades 3 through 7 computer-adaptive assessments and grade 8 and high  
64.23 school tests must be aligned with state academic standards. The commissioner shall  
64.24 determine the testing process and the order of administration. The statewide results shall  
64.25 be aggregated at the site and district level, consistent with subdivision 1a.

64.26 (j) The commissioner shall include the following components in the statewide  
64.27 public reporting system:

64.28 (1) uniform statewide computer-adaptive assessments of all students in grades 3  
64.29 through 7 and testing at the grade 8 and high school levels that provides appropriate,  
64.30 technically sound accommodations or alternate assessments;

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

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

64.35 (4) state results from participation in the National Assessment of Educational  
64.36 Progress so that the state can benchmark its performance against the nation and other

65.1 states, and, where possible, against other countries, and contribute to the national effort  
65.2 to monitor achievement.

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

65.9 (l) For purposes of statewide accountability, "cultural competence," "cultural  
65.10 competency," or "culturally competent" means the ability and will to interact effectively  
65.11 with people of different cultures, native languages, and socioeconomic backgrounds.

65.12 Sec. 9. Minnesota Statutes 2013 Supplement, section 120B.35, subdivision 3, is  
65.13 amended to read:

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

65.19 (b) The commissioner, in consultation with a stakeholder group that includes  
65.20 assessment and evaluation directors and staff and researchers must implement a model  
65.21 that uses a value-added growth indicator and includes criteria for identifying schools  
65.22 and school districts that demonstrate medium and high growth under section 120B.299,  
65.23 subdivisions 8 and 9, and may recommend other value-added measures under section  
65.24 120B.299, subdivision 3. The model may be used to advance educators' professional  
65.25 development and replicate programs that succeed in meeting students' diverse learning  
65.26 needs. Data on individual teachers generated under the model are personnel data under  
65.27 section 13.43. The model must allow users to:

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

65.29 (2) for all student categories, report and compare aggregated and disaggregated state  
65.30 growth data using the nine student categories identified under the federal 2001 No Child  
65.31 Left Behind Act and two student gender categories of male and female, respectively,  
65.32 following appropriate reporting practices to protect nonpublic student data.

65.33 The commissioner must report measures of student growth, consistent with this  
65.34 paragraph, including the English language development, academic progress, and oral

66.1 academic development of English learners and their native language development if the  
66.2 native language is used as a language of instruction.

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

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

66.12 (2) a rigorous coursework measure indicating the number and percentage of high  
66.13 school graduates in the most recent school year who successfully completed one or more  
66.14 college-level advanced placement, international baccalaureate, postsecondary enrollment  
66.15 options including concurrent enrollment, other rigorous courses of study under section  
66.16 120B.021, subdivision 1a, or industry certification courses or programs.

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

66.22 (d) When reporting student performance under section 120B.36, subdivision 1, the  
66.23 commissioner annually, beginning July 1, 2014, must report summary data on school  
66.24 safety and students' engagement and connection at school. The summary data under this  
66.25 paragraph are separate from and must not be used for any purpose related to measuring  
66.26 or evaluating the performance of classroom teachers. The commissioner, in consultation  
66.27 with qualified experts on student engagement and connection and classroom teachers,  
66.28 must identify highly reliable variables that generate summary data under this paragraph.  
66.29 The summary data may be used at school, district, and state levels only. Any data on  
66.30 individuals received, collected, or created that are used to generate the summary data  
66.31 under this paragraph are nonpublic data under section 13.02, subdivision 9.

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

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

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

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

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

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

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

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

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

67.13 Sec. 10. Minnesota Statutes 2012, section 120B.35, subdivision 4, is amended to read:

67.14 Subd. 4. **Improving schools.** Consistent with the requirements of this section,  
67.15 beginning June 20, 2012, the commissioner of education must annually report to the public  
67.16 and the legislature ~~the organizational and curricular~~ best practices implemented in those  
67.17 schools that demonstrate ~~medium and high~~ growth compared to the state growth target.

67.18 Sec. 11. Minnesota Statutes 2013 Supplement, section 122A.09, subdivision 4, is  
67.19 amended to read:

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

67.22 (b) The board must adopt rules requiring a person to pass a skills examination in  
67.23 reading, writing, and mathematics or attain either a composite score composed of the  
67.24 average of the scores in English and writing, reading, and mathematics on the ACT  
67.25 Plus Writing recommended by the board, or an equivalent composite score composed  
67.26 of the average of the scores in critical reading, mathematics, and writing on the SAT  
67.27 recommended by the board, as a requirement for initial teacher licensure, except that  
67.28 the board may issue up to two ~~additional~~ temporary, one-year teaching licenses to an  
67.29 otherwise qualified candidate who has not yet passed the skills exam or attained the  
67.30 requisite composite score on the ACT Plus Writing or SAT. Such rules must require  
67.31 college and universities offering a board-approved teacher preparation program to  
67.32 provide remedial assistance to persons who did not achieve a qualifying score on the  
67.33 skills examination or attain the requisite composite score on the ACT Plus Writing or  
67.34 SAT, including those for whom English is a second language. The requirement to pass

68.1 a reading, writing, and mathematics skills examination or attain the requisite composite  
68.2 score on the ACT Plus Writing or SAT does not apply to nonnative English speakers, as  
68.3 verified by qualified Minnesota school district personnel or Minnesota higher education  
68.4 faculty, who, after meeting the content and pedagogy requirements under this subdivision,  
68.5 apply for a teaching license to provide direct instruction in their native language or world  
68.6 language instruction under section 120B.022, subdivision 1. A teacher candidate's official  
68.7 ACT Plus Writing or SAT composite score report to the board must not be more than ten  
68.8 years old at the time of licensure.

68.9 (c) The board must adopt rules to approve teacher preparation programs. The board,  
68.10 upon the request of a postsecondary student preparing for teacher licensure or a licensed  
68.11 graduate of a teacher preparation program, shall assist in resolving a dispute between the  
68.12 person and a postsecondary institution providing a teacher preparation program when the  
68.13 dispute involves an institution's recommendation for licensure affecting the person or the  
68.14 person's credentials. At the board's discretion, assistance may include the application  
68.15 of chapter 14.

68.16 (d) The board must provide the leadership and adopt rules for the redesign of teacher  
68.17 education programs to implement a research based, results-oriented curriculum that  
68.18 focuses on the skills teachers need in order to be effective. The board shall implement new  
68.19 systems of teacher preparation program evaluation to assure program effectiveness based  
68.20 on proficiency of graduates in demonstrating attainment of program outcomes. Teacher  
68.21 preparation programs including alternative teacher preparation programs under section  
68.22 122A.245, among other programs, must include a content-specific, board-approved,  
68.23 performance-based assessment that measures teacher candidates in three areas: planning  
68.24 for instruction and assessment; engaging students and supporting learning; and assessing  
68.25 student learning. The board's redesign rules must include creating flexible, specialized  
68.26 teaching licenses, credentials, and other endorsement forms to increase students'  
68.27 participation in language immersion programs, world language instruction, career  
68.28 development opportunities, work-based learning, early college courses and careers, career  
68.29 and technical programs, Montessori schools, and project and place-based learning, among  
68.30 other career and college ready learning offerings.

68.31 (e) The board must adopt rules requiring candidates for initial licenses to pass an  
68.32 examination of general pedagogical knowledge and examinations of licensure-specific  
68.33 teaching skills. The rules shall be effective by September 1, 2001. The rules under this  
68.34 paragraph also must require candidates for initial licenses to teach prekindergarten or  
68.35 elementary students to pass, as part of the examination of licensure-specific teaching  
68.36 skills, test items assessing the candidates' knowledge, skill, and ability in comprehensive,

69.1 scientifically based reading instruction under section 122A.06, subdivision 4, and their  
69.2 knowledge and understanding of the foundations of reading development, the development  
69.3 of reading comprehension, and reading assessment and instruction, and their ability to  
69.4 integrate that knowledge and understanding.

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

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

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

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

69.20 (j) The board must grant life licenses to those who qualify according to requirements  
69.21 established by the board, and suspend or revoke licenses pursuant to sections 122A.20 and  
69.22 214.10. The board must not establish any expiration date for application for life licenses.

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

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

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

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

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

70.11 **EFFECTIVE DATE.** This section applies to persons applying to the Board of  
70.12 Teaching for their initial teaching license July 1, 2014, or later.

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

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

70.18 (b) The board must require a person to pass an examination of skills in reading,  
70.19 writing, and mathematics or attain either a composite score composed of the average of  
70.20 the scores in English and writing, reading, and mathematics on the ACT Plus Writing  
70.21 recommended by the board, or an equivalent composite score composed of the average  
70.22 of the scores in critical reading, mathematics, and writing on the SAT recommended by  
70.23 the board, before being granted an initial teaching license to provide direct instruction to  
70.24 pupils in prekindergarten, elementary, secondary, or special education programs, except  
70.25 that the board may issue up to two ~~additional~~ temporary, one-year teaching licenses to  
70.26 an otherwise qualified candidate who has not yet passed the skills exam or attained the  
70.27 requisite composite score on the ACT Plus Writing or SAT. The board must require  
70.28 colleges and universities offering a board approved teacher preparation program to make  
70.29 available upon request remedial assistance that includes a formal diagnostic component  
70.30 to persons enrolled in their institution who did not achieve a qualifying score on the  
70.31 skills examination or attain the requisite composite ACT Plus Writing or SAT score,  
70.32 including those for whom English is a second language. The colleges and universities  
70.33 must make available assistance in the specific academic areas of candidates' deficiency  
70.34 ~~in which the person did not achieve a qualifying score.~~ School districts may make  
70.35 available upon request similar, appropriate, and timely remedial assistance that includes a

71.1 formal diagnostic component to those persons employed by the district who completed  
71.2 their teacher education program, who did not achieve a qualifying score on the skills  
71.3 examination, ~~including those persons for whom English is a second language and persons~~  
71.4 ~~under section 122A.23, subdivision 2, paragraph (h), who completed their teacher's~~  
71.5 ~~education program outside the state of Minnesota~~ or attain the requisite composite ACT  
71.6 Plus Writing or SAT score, and who received a temporary license to teach in Minnesota.  
71.7 The Board of Teaching shall report annually to the education committees of the legislature  
71.8 on the total number of teacher candidates during the most recent school year taking the  
71.9 skills examination, the number who achieve a qualifying score on the examination, the  
71.10 number who do not achieve a qualifying score on the examination, the distribution of all  
71.11 candidates' scores, the number of candidates who have taken the examination at least once  
71.12 before, and the number of candidates who have taken the examination at least once before  
71.13 and achieve a qualifying score, and the candidates who have not attained the requisite  
71.14 composite ACT Plus Writing or SAT score or have not passed a content or pedagogy  
71.15 exam, disaggregated by categories of race, ethnicity, and eligibility for financial aid.

71.16 (c) The Board of Teaching must grant continuing licenses only to those persons who  
71.17 have met board criteria for granting a continuing license, which includes passing the skills  
71.18 examination in reading, writing, and mathematics or attaining the requisite composite  
71.19 ACT Plus Writing or SAT score consistent with paragraph (b)<sub>2</sub> and the exceptions in  
71.20 section 122A.09, subdivision 4, paragraph (b)-<sub>2</sub>, that are consistent with this paragraph.  
71.21 The requirement to pass a reading, writing, and mathematics skills examination, or attain  
71.22 the requisite composite score on the ACT Plus Writing or SAT does not apply to nonnative  
71.23 English speakers, as verified by qualified Minnesota school district personnel or Minnesota  
71.24 higher education faculty, who, after meeting the content and pedagogy requirements under  
71.25 this subdivision, apply for a teaching license to provide direct instruction in their native  
71.26 language or world language instruction under section 120B.022, subdivision 1. A teacher  
71.27 candidate's official ACT Plus Writing or SAT composite score report to the board must not  
71.28 be more than ten years old at the time of licensure.

71.29 (d) All colleges and universities approved by the board of teaching to prepare  
71.30 persons for teacher licensure must include in their teacher preparation programs a common  
71.31 core of teaching knowledge and skills to be acquired by all persons recommended  
71.32 for teacher licensure. This common core shall meet the standards developed by the  
71.33 interstate new teacher assessment and support consortium in its 1992 "model standards for  
71.34 beginning teacher licensing and development." Amendments to standards adopted under  
71.35 this paragraph are covered by chapter 14. The board of teaching shall report annually to  
71.36 the education committees of the legislature on the performance of teacher candidates

72.1 on common core assessments of knowledge and skills under this paragraph during the  
72.2 most recent school year.

72.3 **EFFECTIVE DATE.** This section applies to persons applying to the Board of  
72.4 Teaching for their initial teaching license July 1, 2014, or later.

72.5 Sec. 13. Minnesota Statutes 2013 Supplement, section 122A.23, subdivision 2, is  
72.6 amended to read:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

73.17 (h) The Board of Teaching must require an applicant for a teaching license or a  
 73.18 temporary teaching license under this subdivision to pass a skills examination in reading,  
 73.19 writing, and mathematics or demonstrate, consistent with section 122A.09, subdivision  
 73.20 4, the applicant's attainment of either the requisite composite ACT Plus Writing or SAT  
 73.21 score before the board issues the license unless, notwithstanding other provisions of this  
 73.22 subdivision, an applicable board-approved National Association of State Directors of  
 73.23 Teacher Education interstate reciprocity agreement exists to allow fully certified teachers  
 73.24 from other states to transfer their certification to Minnesota without need for additional  
 73.25 exams or other preparation requirements. Consistent with section 122A.18, subdivision 2,  
 73.26 paragraph (b), and notwithstanding other provisions of this subdivision, the board may  
 73.27 issue up to two additional temporary, one-year teaching licenses to an otherwise qualified  
 73.28 applicant who has not yet passed the skills exam.

73.29 **EFFECTIVE DATE.** This section is effective July 1, 2014.

73.30 Sec. 14. Minnesota Statutes 2012, section 122A.40, subdivision 5, is amended to read:

73.31 Subd. 5. **Probationary period.** (a) The first three consecutive years of a teacher's  
 73.32 first teaching experience in Minnesota in a single district is deemed to be a probationary  
 73.33 period of employment, and, the probationary period in each district in which the teacher is  
 73.34 thereafter employed shall be one year. The school board must adopt a plan for written  
 73.35 evaluation of teachers during the probationary period that is consistent with subdivision 8.

74.1 Evaluation must occur at least three times periodically throughout each school year for a  
74.2 teacher performing services during that school year; the first evaluation must occur within  
74.3 the first 90 days of teaching service. Days devoted to parent-teacher conferences, teachers'  
74.4 workshops, and other staff development opportunities and days on which a teacher is absent  
74.5 from school must not be included in determining the number of school days on which a  
74.6 teacher performs services. Except as otherwise provided in paragraph (b), during the  
74.7 probationary period any annual contract with any teacher may or may not be renewed as the  
74.8 school board shall see fit. However, the board must give any such teacher whose contract  
74.9 it declines to renew for the following school year written notice to that effect before July 1.  
74.10 If the teacher requests reasons for any nonrenewal of a teaching contract, the board must  
74.11 give the teacher its reason in writing, including a statement that appropriate supervision  
74.12 was furnished describing the nature and the extent of such supervision furnished the  
74.13 teacher during the employment by the board, within ten days after receiving such request.  
74.14 The school board may, after a hearing held upon due notice, discharge a teacher during the  
74.15 probationary period for cause, effective immediately, under section 122A.44.

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

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

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

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

74.33 **EFFECTIVE DATE.** This section is effective retroactively from January 1, 2013.

74.34 Sec. 15. Minnesota Statutes 2012, section 122A.40, subdivision 13, is amended to read:

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

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

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

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

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

75.11 (5) willful neglect of duty; or

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

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

75.16 Prior to discharging a teacher under this paragraph, the board must notify the teacher  
75.17 in writing and state its ground for the proposed discharge in reasonable detail. Within  
75.18 ten days after receipt of this notification the teacher may make a written request for a  
75.19 hearing before the board and it shall be granted before final action is taken. The board  
75.20 may suspend a teacher with pay pending the conclusion of the hearing and determination  
75.21 of the issues raised in the hearing after charges have been filed which constitute ground for  
75.22 discharge. If a teacher has been charged with a felony and the underlying conduct that  
75.23 is the subject of the felony charge is a ground for a proposed immediate discharge, the  
75.24 suspension pending the conclusion of the hearing and determination of the issues may be  
75.25 without pay. If a hearing under this paragraph is held, the board must reimburse the teacher  
75.26 for any salary or compensation withheld if the final decision of the board or the arbitrator  
75.27 does not result in a penalty to or suspension, termination, or discharge of the teacher.

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

75.31 (c) When a teacher is discharged under paragraph (b) or when the commissioner  
75.32 makes a final determination of child maltreatment involving a teacher under section  
75.33 626.556, subdivision 11, the school principal or other person having administrative  
75.34 control of the school must include in the teacher's employment record the information  
75.35 contained in the record of the disciplinary action or the final maltreatment determination,  
75.36 consistent with the definition of public data under section 13.41, subdivision 5, and must

76.1 provide the Board of Teaching and the licensing division at the department with the  
 76.2 necessary and relevant information to enable the Board of Teaching and the department's  
 76.3 licensing division to fulfill their statutory and administrative duties related to issuing,  
 76.4 renewing, suspending, or revoking a teacher's license. Information received by the Board  
 76.5 of Teaching or the licensing division at the department under this paragraph is governed  
 76.6 by section 13.41 or other applicable law governing data of the receiving entity. In addition  
 76.7 to the background check required under section 123B.03, a school board or other school  
 76.8 hiring authority must contact the Board of Teaching and the department to determine  
 76.9 whether the teacher's license has been suspended or revoked, consistent with the discharge  
 76.10 and final maltreatment determinations identified in this paragraph.

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

76.12 Sec. 16. Minnesota Statutes 2012, section 122A.41, subdivision 2, is amended to read:

76.13 Subd. 2. **Probationary period; discharge or demotion.** (a) All teachers in  
 76.14 the public schools in cities of the first class during the first three years of consecutive  
 76.15 employment shall be deemed to be in a probationary period of employment during which  
 76.16 period any annual contract with any teacher may, or may not, be renewed as the school  
 76.17 board, after consulting with the peer review committee charged with evaluating the  
 76.18 probationary teachers under subdivision 3, shall see fit. The school site management team  
 76.19 or the school board if there is no school site management team, shall adopt a plan for a  
 76.20 written evaluation of teachers during the probationary period according to subdivisions 3  
 76.21 and 5. Evaluation by the peer review committee charged with evaluating probationary  
 76.22 teachers under subdivision 3 shall occur at least three times periodically throughout each  
 76.23 school year for a teacher performing services during that school year; the first evaluation  
 76.24 must occur within the first 90 days of teaching service. Days devoted to parent-teacher  
 76.25 conferences, teachers' workshops, and other staff development opportunities and days on  
 76.26 which a teacher is absent from school shall not be included in determining the number of  
 76.27 school days on which a teacher performs services. The school board may, during such  
 76.28 probationary period, discharge or demote a teacher for any of the causes as specified in  
 76.29 this code. A written statement of the cause of such discharge or demotion shall be given to  
 76.30 the teacher by the school board at least 30 days before such removal or demotion shall  
 76.31 become effective, and the teacher so notified shall have no right of appeal therefrom.

76.32 (b) A probationary teacher whose first three years of consecutive employment are  
 76.33 interrupted for active military service and who promptly resumes teaching consistent with  
 76.34 federal reemployment timelines for uniformed service personnel under United States

77.1 Code, title 38, section 4312(e), is considered to have a consecutive teaching experience  
77.2 for purposes of paragraph (a).

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

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

77.12 **EFFECTIVE DATE.** This section is effective retroactively from January 1, 2013.

77.13 Sec. 17. Minnesota Statutes 2012, section 122A.41, subdivision 6, is amended to read:

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

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

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

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

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

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

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

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

77.32 (c) When a teacher is discharged under paragraph (b) or when the commissioner  
77.33 makes a final determination of child maltreatment involving a teacher under section  
77.34 626.556, subdivision 11, the school principal or other person having administrative  
77.35 control of the school must include in the teacher's employment record the information

78.1 contained in the record of the disciplinary action or the final maltreatment determination,  
 78.2 consistent with the definition of public data under section 13.41, subdivision 5, and must  
 78.3 provide the Board of Teaching and the licensing division at the department with the  
 78.4 necessary and relevant information to enable the Board of Teaching and the department's  
 78.5 licensing division to fulfill their statutory and administrative duties related to issuing,  
 78.6 renewing, suspending, or revoking a teacher's license. Information received by the Board  
 78.7 of Teaching or the licensing division at the department under this paragraph is governed  
 78.8 by section 13.41 or other applicable law governing data of the receiving entity. In addition  
 78.9 to the background check required under section 123B.03, a school board or other school  
 78.10 hiring authority must contact the Board of Teaching and the department to determine  
 78.11 whether the teacher's license has been suspended or revoked, consistent with the discharge  
 78.12 and final maltreatment determinations identified in this paragraph.

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

78.14 Sec. 18. Minnesota Statutes 2012, section 122A.48, subdivision 3, is amended to read:

78.15 Subd. 3. **Employment as substitute exemptions for retired teachers.**

78.16 Notwithstanding the provisions of subdivision 2, a teacher who has entered into an  
 78.17 agreement for termination of services and withdrawal from active teaching service with  
 78.18 an early retirement incentive may be employed as a substitute teacher, behind-the-wheel  
 78.19 instructor, or coach after retirement.

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

78.21 Sec. 19. Minnesota Statutes 2012, section 122A.60, subdivision 1a, is amended to read:

78.22 Subd. 1a. **Effective staff development activities.** (a) Staff development activities  
 78.23 must:

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

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

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

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

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

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

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

79.6 (8) provide opportunities for staff to learn about current workforce trends, the  
 79.7 connections between workforce trends and postsecondary education, and training options,  
 79.8 including career and technical education options.

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

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

79.19 Sec. 20. Minnesota Statutes 2012, section 122A.60, subdivision 2, is amended to read:

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

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

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

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

79.30 (4) ensure specialized preparation and learning about issues related to teaching  
 79.31 English learners and students with special needs; and

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

79.33 Sec. 21. Minnesota Statutes 2012, section 122A.60, subdivision 3, is amended to read:

80.1 Subd. 3. **Staff development outcomes.** The advisory staff development committee  
80.2 must adopt a staff development plan for improving student achievement. The plan must  
80.3 be consistent with education outcomes that the school board determines. The plan  
80.4 must include ongoing staff development activities that contribute toward continuous  
80.5 improvement in achievement of the following goals:

80.6 (1) improve student achievement of state and local education standards in all areas of  
80.7 the curriculum, including areas of regular academic and applied and experiential learning,  
80.8 by using best practices methods;

80.9 (2) effectively meet the needs of a diverse student population, including at-risk  
80.10 children, children with disabilities, and gifted children, within the regular classroom,  
80.11 applied and experiential learning settings, and other settings;

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

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

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

80.20 (6) effectively deliver digital and blended learning and curriculum and engage  
80.21 students with technology; and

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

80.24 Sec. 22. **[123A.215] INNOVATIVE TECHNOLOGY COOPERATIVE.**

80.25 Subdivision 1. **Establishment and organization.** (a) Two or more independent  
80.26 school districts may enter into an agreement to establish an innovative cooperative center  
80.27 to provide for technology and other educational services upon the vote of a majority of the  
80.28 full membership of each of the boards of the districts entering into the agreement. The  
80.29 agreement may also provide for membership by a Minnesota state college or university  
80.30 under section 136F.01. When a resolution approving this action has been adopted by  
80.31 the board of a district, the resolution shall be published once in a newspaper of general  
80.32 circulation in the district.

80.33 (b) The agreement may provide for the center to be organized into up to four regions.  
80.34 A region may consist of only school districts, only higher education institutions, or a  
80.35 combination of both.

81.1 Subd. 2. **Name.** A public corporation so created shall be known as ....(insert  
81.2 name).... Cooperative Center No. .... and shall have an identification number assigned  
81.3 according to section 123A.56.

81.4 Subd. 3. **Governing board.** (a) The center must be operated by a center board  
81.5 consisting of 12 members. Membership on the center board must be established under  
81.6 the agreement in subdivision 1, paragraph (a), consistent with the requirements of this  
81.7 paragraph. If organized into regions, each region shall have equal representation on the  
81.8 center board. No more than four board members of the center board may represent higher  
81.9 education institutions. Center board membership for individual school districts or a region  
81.10 including school districts must include one superintendent with the remaining school  
81.11 district positions filled by school board members. When possible, no school district may  
81.12 have more than one representative.

81.13 (b) The terms of office of the first members of the center board must be determined  
81.14 by lot as follows: one-third of the members for one year, one-third of the members for two  
81.15 years, and the remainder of the members for three years, all terms to expire on June 30 of  
81.16 the appropriate year. Thereafter, the terms shall be for three years commencing on July 1  
81.17 of each year. If a vacancy occurs on the center board, it must be filled by the district, by  
81.18 the members of the appropriate region, or by the higher education members, within 90  
81.19 days. A person appointed to the center board shall qualify as a center board member by  
81.20 filing with the chair a written certificate of appointment from the appointing school board.

81.21 (c) The first meeting of a center board must be at a time mutually agreed upon by  
81.22 center board members. At this meeting, the center board must choose its officers and  
81.23 conduct any other necessary organizational business. Thereafter, the center board must  
81.24 meet on July 1 of each year or as soon thereafter as practicable pursuant to notice sent to  
81.25 all center board members by the chief executive officer of the center.

81.26 (d) The officers of the center board shall be a chair, vice-chair, clerk, and treasurer,  
81.27 no two of whom when possible shall be from the same school district. The chair shall  
81.28 preside at all meetings of the center board, except that in the chair's absence the vice-chair  
81.29 shall preside. The clerk shall keep a complete record of the minutes of each meeting  
81.30 and the treasurer shall be the custodian of the funds of the center. Insofar as applicable,  
81.31 sections 123B.09, 123B.14, 123B.143, and 123B.147, shall apply to the board and officers  
81.32 of the center.

81.33 (e) A majority of the center board shall be a quorum. Any motion other than  
81.34 adjournment shall pass only upon receiving a majority of the votes of the entire center  
81.35 board.

82.1 Subd. 4. **Center powers and duties.** (a) The center board shall have the general  
82.2 charge of the business of the center. Where applicable, sections 123B.51 and 123B.52,  
82.3 subdivision 4, shall apply. The center board may not issue bonds on its behalf.

82.4 (b) The center board may furnish technology offerings to any eligible person residing  
82.5 in any participating district and may provide any other educational programs or services  
82.6 agreed upon by the participating members. Academic offerings shall be provided only  
82.7 under the direction of properly licensed academic supervisory personnel.

82.8 (c) The center board must employ an executive director, contract with necessary  
82.9 qualified teachers and administrators, and may discharge the same for cause pursuant to  
82.10 section 122A.40. The authority for selection and employment of a director shall be vested  
82.11 in the center board. Notwithstanding the provisions of section 122A.40, subdivision 10 or  
82.12 11, no individual shall have a right to employment as a director based on seniority or order  
82.13 of employment by the center. The center board may employ and discharge other necessary  
82.14 employees and may contract for other services deemed necessary.

82.15 (d) The center board may prescribe rates of tuition for services provided to  
82.16 nonmember students.

82.17 Subd. 5. **Finances.** (a) The center board established under this section is a public  
82.18 corporation and agency and may receive and disburse federal, state, and local funds made  
82.19 available to it. A participating school district or member must not have any additional  
82.20 individual liability for the debts or obligations of the center except that assessment  
82.21 which has been certified as its proportionate share in accordance with paragraph (b) and  
82.22 subdivision 4. A member of the center board shall have the liability that is applicable to a  
82.23 member of an independent school district board. Any property, real or personal, acquired  
82.24 or owned by the center board for its purposes shall be exempt from taxation by the state or  
82.25 any of its political subdivisions.

82.26 (b) The center board may, in each year, for the purpose of paying any administrative,  
82.27 planning, operating, or capital expenses incurred or to be incurred, assess and certify  
82.28 to each participating school district its proportionate share of any and all expenses.  
82.29 This share must be based upon an equitable distribution formula agreed upon by the  
82.30 participating districts. Each participating district shall remit its assessment to the center  
82.31 board within 30 days after receipt.

82.32 Subd. 6. **Laws governing independent school districts apply.** As of the effective  
82.33 date of the creation of any center as contained in the agreement establishing the center,  
82.34 the organization, operation, maintenance, and conduct of the affairs of the center shall be  
82.35 governed by the general laws relating to independent school districts of the state unless

83.1 provided otherwise in statute. The center does not have the authority to issue bonds or  
 83.2 impose a property tax levy.

83.3 Subd. 7. **Addition and withdrawal of districts.** Upon approval by majority vote of  
 83.4 a school board and of the center board, an adjoining district may become a member in  
 83.5 the center and be governed by the provisions of this section and the agreement in effect.  
 83.6 Any participating district may withdraw from the center and from the agreement in effect  
 83.7 by a majority vote of the full board membership of the participating district desiring  
 83.8 withdrawal and upon compliance with provisions in the agreement establishing the center.  
 83.9 Upon receipt of the withdrawal resolution reciting the necessary facts, the center board  
 83.10 must file a certified copy with the county auditors of the counties affected. The withdrawal  
 83.11 shall become effective at the end of the next following school year, but the withdrawal  
 83.12 shall not affect the continued liability of the withdrawing district for liabilities incurred  
 83.13 prior to the effective withdrawal date.

83.14 Subd. 8. **Dissolution.** The boards of each participating district may agree to dissolve  
 83.15 the center effective at the end of any school year or at an earlier time as they may mutually  
 83.16 agree. A dissolution must be accomplished in accordance with any applicable provisions  
 83.17 of the agreement establishing the center. Upon receipt of the dissolution resolutions from  
 83.18 the boards of the participating districts, the center board shall file a certified copy with the  
 83.19 county auditors of the counties affected. The dissolution must not affect the continuing  
 83.20 liability of the previously participating districts for any continuing obligations, including  
 83.21 unemployment benefits.

83.22 **EFFECTIVE DATE.** This section is effective July 1, 2014.

83.23 Sec. 23. Minnesota Statutes 2012, section 124D.03, subdivision 3, is amended to read:

83.24 Subd. 3. **Pupil application procedures.** In order that a pupil may attend a school or  
 83.25 program in a nonresident district, the pupil's parent or guardian must submit an application  
 83.26 to the nonresident district. ~~Before submitting an application, the pupil and the pupil's~~  
 83.27 ~~parent or guardian must explore with a school guidance counselor, or other appropriate~~  
 83.28 ~~staff member employed by the district the pupil is currently attending, the pupil's academic~~  
 83.29 ~~or other reason for applying to enroll in a nonresident district.~~ The pupil's application must  
 83.30 identify ~~the~~ a reason for enrolling in the nonresident district. The parent or guardian of a  
 83.31 pupil must submit ~~an~~ a signed application by January 15 for initial enrollment beginning  
 83.32 the following school year. The application must be on a form provided by the Department  
 83.33 of Education. A particular school or program may be requested by the parent. Once  
 83.34 enrolled in a nonresident district, the pupil may remain enrolled and is not required to  
 83.35 submit annual or periodic applications. If the student moves to a new resident district,

84.1 the student retains the seat in the nonresident district, but must submit a new enrollment  
84.2 options form to update the student's information. To return to the resident district or to  
84.3 transfer to a different nonresident district, the parent or guardian of the pupil must provide  
84.4 notice to the resident district or apply to a different nonresident district by January 15 for  
84.5 enrollment beginning the following school year.

84.6 Sec. 24. Minnesota Statutes 2012, section 124D.03, subdivision 4, is amended to read:

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

84.8 This subdivision applies to a transfer into or out of a district that has a ~~desegregation~~ an  
84.9 achievement and integration plan approved by the commissioner of education under  
84.10 sections 124D.861 and 124D.862.

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

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

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

84.19 Sec. 25. Minnesota Statutes 2012, section 124D.03, subdivision 5, is amended to read:

84.20 Subd. 5. **Nonresident district procedures.** A district shall notify the parent or  
84.21 guardian in writing by February 15 or within 90 days for applications submitted after  
84.22 January 15 in the case of achievement and integration district transfers whether the  
84.23 application has been accepted or rejected. If an application is rejected, the district must  
84.24 state in the notification the reason for rejection. The parent or guardian must notify the  
84.25 nonresident district by March 1 or within 45 days whether the pupil intends to enroll in the  
84.26 nonresident district. Notice of intent to enroll in the nonresident district obligates the pupil  
84.27 to attend the nonresident district during the following school year, unless the boards of  
84.28 the resident and the nonresident districts agree in writing to allow the pupil to transfer  
84.29 back to the resident district, ~~or~~ or. If the pupil's parents or guardians change residence to  
84.30 another district, the student does not lose the seat in the nonresident district but the parent  
84.31 or guardian must complete an updated enrollment options form. If a parent or guardian  
84.32 does not notify the nonresident district by the January 15 deadline, if it applies, the pupil  
84.33 may not enroll in that nonresident district during the following school year, unless the  
84.34 boards of the resident and nonresident district agree otherwise. The nonresident district

85.1 must notify the resident district by March 15 or 30 days later of the pupil's intent to enroll  
 85.2 in the nonresident district. The same procedures apply to a pupil who applies to transfer  
 85.3 from one participating nonresident district to another participating nonresident district.

85.4 Sec. 26. Minnesota Statutes 2012, section 124D.03, is amended by adding a  
 85.5 subdivision to read:

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

85.12 Sec. 27. Minnesota Statutes 2012, section 124D.03, subdivision 6, is amended to read:

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

85.23 Sec. 28. **[124D.061] EXPERIENTIAL AND APPLIED LEARNING**

85.24 **OPPORTUNITIES FOR STUDENTS.**

85.25 (a) To strengthen the alignment between career and college ready curriculum and  
 85.26 state and local academic standards and increase students' opportunities for participating in  
 85.27 applied and experiential learning in a nontraditional setting, school districts are encouraged  
 85.28 to provide programs such as magnet schools, language immersion programs, project-based  
 85.29 learning, accelerated learning, college prep schools, career and technical education,  
 85.30 Montessori schools, military schools, work-based schools, and place-based learning.  
 85.31 Districts may provide such programs independently or in cooperation with other districts,  
 85.32 at a school single site, for particular grades, or throughout the district. In addition to  
 85.33 meeting the other accountability measures under chapter 120B, districts may declare that a

86.1 student meets or exceeds specific academic standards required for graduation under the  
86.2 rigorous course of study waiver in section 120B.021, subdivision 1a, where appropriate.

86.3 (b) The board of a district that chooses to participate must publicly adopt and review  
86.4 a plan for providing a program under this section. The plan must: define the program  
86.5 and its structure; describe the enrollment process; identify measures and processes for  
86.6 regularly assessing, evaluating, and publicly reporting on program efficacy and use  
86.7 summary data to show student progress and outcomes; and establish a data-informed  
86.8 public process for modifying and revising the plan as needed. A district must publish its  
86.9 plan contents and evaluation outcomes on the district Web site.

86.10 (c) For purposes of further integrating experiential and applied learning into career  
86.11 and college ready curricula, the commissioner may request program information from  
86.12 providing districts under this section.

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

86.15 Sec. 29. Minnesota Statutes 2012, section 124D.09, subdivision 9, is amended to read:

86.16 Subd. 9. **Enrollment priority.** (a) A postsecondary institution shall give priority  
86.17 to its postsecondary students when enrolling 10th, 11th, and 12th grade pupils in its  
86.18 courses. A postsecondary institution may provide information about its programs to a  
86.19 secondary school or to a pupil or parent and it may advertise or otherwise recruit or solicit  
86.20 a secondary pupil to enroll in its programs on educational and programmatic grounds only.  
86.21 An institution must not enroll secondary pupils, for postsecondary enrollment options  
86.22 purposes, in remedial, developmental, or other courses that are not college level except  
86.23 when a student eligible to participate in the graduation incentives program under section  
86.24 124D.68 enrolls full time in a middle or early college program specifically designed to  
86.25 allow the student to earn dual high school and college credit. In this case, the student shall  
86.26 receive developmental college credit and not college credit for completing remedial or  
86.27 developmental courses. Once a any pupil has been enrolled in a postsecondary course  
86.28 under this section, the pupil shall not be displaced by another student.

86.29 (b) If a postsecondary institution enrolls a secondary school pupil in a course  
86.30 under this section, the postsecondary institution also must enroll in the same course an  
86.31 otherwise enrolled and qualified postsecondary student who qualifies as a veteran under  
86.32 section 197.447, and demonstrates to the postsecondary institution's satisfaction that the  
86.33 institution's established enrollment timelines were not practicable for that student.

86.34 **EFFECTIVE DATE.** This section is effective July 1, 2014.

87.1 Sec. 30. Minnesota Statutes 2013 Supplement, section 124D.10, subdivision 1, is  
87.2 amended to read:

87.3 Subdivision 1. **Purposes.** (a) The primary purpose of this section is to improve all  
87.4 pupil learning and all student achievement. Additional purposes include to:

87.5 (1) increase learning opportunities for all pupils;

87.6 (2) encourage the use of different and innovative teaching methods;

87.7 (3) measure learning outcomes and create different and innovative forms of  
87.8 measuring outcomes;

87.9 (4) establish new forms of accountability for schools; or

87.10 (5) create new professional opportunities for teachers, including the opportunity to  
87.11 be responsible for the learning program at the school site.

87.12 (b) This section does not provide a means to keep open a school that a school board  
87.13 decides to close. However, a school board may endorse or authorize the establishing of  
87.14 a charter school to replace the school the board decided to close. Applicants seeking a  
87.15 charter under this circumstance must demonstrate to the authorizer that the charter sought  
87.16 is substantially different in purpose and program from the school the board closed and  
87.17 that the proposed charter satisfies the requirements of this subdivision. If the school  
87.18 board that closed the school authorizes the charter, it must document in its affidavit to the  
87.19 commissioner that the charter is substantially different in program and purpose from  
87.20 the school it closed.

87.21 An authorizer shall not approve an application submitted by a charter school  
87.22 developer under subdivision 4, paragraph (a), if the application does not comply with this  
87.23 subdivision. The commissioner shall not approve an affidavit submitted by an authorizer  
87.24 under subdivision 4, paragraph (b), if the affidavit does not comply with this subdivision.

87.25 Sec. 31. Minnesota Statutes 2013 Supplement, section 124D.10, subdivision 3, is  
87.26 amended to read:

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

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

87.32 "Application" under subdivision 4 means the charter school business plan a  
87.33 school developer submits to an authorizer for approval to establish a charter school that  
87.34 documents the school developer's mission statement, school purposes, program design,  
87.35 financial plan, governance and management structure, and background and experience,

88.1 plus any other information the authorizer requests. The application also shall include a  
88.2 "statement of assurances" of legal compliance prescribed by the commissioner.

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

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

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

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

88.15 (i) is a member of the Minnesota Council of Nonprofits or the Minnesota Council on  
88.16 Foundations;

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

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

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

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

88.30 (5) single-purpose authorizers ~~that are~~ formed as charitable, nonsectarian  
88.31 organizations ~~formed~~ under section 501(c)(3) of the Internal Revenue Code of 1986 and  
88.32 incorporated in the state of Minnesota under chapter 317A as a corporation with no  
88.33 members ~~whose~~ or under section 322B.975 as a nonprofit limited liability company for  
88.34 the sole purpose is to charter of chartering schools. Eligible organizations interested  
88.35 in being approved as an authorizer under this paragraph must submit a proposal to the  
88.36 commissioner that includes the provisions of paragraph (c) and a five-year financial plan.

89.1 Such authorizers shall consider and approve charter school applications using the criteria  
89.2 provided in subdivision 4 and shall not limit the applications it solicits, considers, or  
89.3 approves to any single curriculum, learning program, or method.

89.4 (c) An eligible authorizer under this subdivision must apply to the commissioner for  
89.5 approval as an authorizer before submitting any affidavit to the commissioner to charter  
89.6 a school. The application for approval as a charter school authorizer must demonstrate  
89.7 the applicant's ability to implement the procedures and satisfy the criteria for chartering a  
89.8 school under this section. The commissioner must approve or disapprove an application  
89.9 within 45 business days of the application deadline. If the commissioner disapproves  
89.10 the application, the commissioner must notify the applicant of the specific deficiencies  
89.11 in writing and the applicant then has 20 business days to address the deficiencies to the  
89.12 commissioner's satisfaction. After the 20 business days expire, the commissioner has 15  
89.13 business days to make a final decision to approve or disapprove the application. Failing to  
89.14 address the deficiencies to the commissioner's satisfaction makes an applicant ineligible to  
89.15 be an authorizer. The commissioner, in establishing criteria for approval, must consider  
89.16 the applicant's:

- 89.17 (1) capacity and infrastructure;
- 89.18 (2) application criteria and process;
- 89.19 (3) contracting process;
- 89.20 (4) ongoing oversight and evaluation processes; and
- 89.21 (5) renewal criteria and processes.

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

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

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

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

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

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

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

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

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

90.11 (f) If the governing board of an approved authorizer votes to withdraw as an  
90.12 approved authorizer for a reason unrelated to any cause under subdivision 23, the  
90.13 authorizer must notify all its chartered schools and the commissioner in writing by July  
90.14 15 of its intent to withdraw as an authorizer on June 30 in the next calendar year. The  
90.15 commissioner may approve the transfer of a charter school to a new authorizer under this  
90.16 paragraph after the new authorizer submits an affidavit to the commissioner.

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

90.18 (h) The commissioner shall review an authorizer's performance every five years in  
90.19 a manner and form determined by the commissioner and may review an authorizer's  
90.20 performance more frequently at the commissioner's own initiative or at the request of a  
90.21 charter school operator, charter school board member, or other interested party. The  
90.22 commissioner, after completing the review, shall transmit a report with findings to the  
90.23 authorizer. If, consistent with this section, the commissioner finds that an authorizer has  
90.24 not fulfilled the requirements of this section, the commissioner may subject the authorizer  
90.25 to corrective action, which may include terminating the contract with the charter school  
90.26 board of directors of a school it chartered. The commissioner must notify the authorizer  
90.27 in writing of any findings that may subject the authorizer to corrective action and  
90.28 the authorizer then has 15 business days to request an informal hearing before the  
90.29 commissioner takes corrective action. If the commissioner terminates a contract between  
90.30 an authorizer and a charter school under this paragraph, the commissioner may assist the  
90.31 charter school in acquiring a new authorizer.

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

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

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

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

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

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

91.7 Sec. 32. Minnesota Statutes 2013 Supplement, section 124D.10, subdivision 4, is  
91.8 amended to read:

91.9 Subd. 4. **Formation of school.** (a) An authorizer, after receiving an application from  
91.10 a school developer, may charter a licensed teacher under section 122A.18, subdivision  
91.11 1, or a group of individuals that includes one or more licensed teachers under section  
91.12 122A.18, subdivision 1, to operate a school subject to the commissioner's approval of the  
91.13 authorizer's affidavit under paragraph (b). The school must be organized and operated as a  
91.14 nonprofit corporation under chapter 317A and the provisions under the applicable chapter  
91.15 shall apply to the school except as provided in this section.

91.16 Notwithstanding sections 465.717 and 465.719, a school district, subject to this  
91.17 section and section 124D.11, may create a corporation for the purpose of establishing a  
91.18 charter school.

91.19 (b) Before the operators may establish and operate a school, the authorizer must file  
91.20 an affidavit with the commissioner stating its intent to charter a school. An authorizer  
91.21 must file a separate affidavit for each school it intends to charter. An authorizer must file  
91.22 an affidavit by May 1 to be able to charter a new school in the next school year after the  
91.23 commissioner approves the authorizer's affidavit. The affidavit must state the terms and  
91.24 conditions under which the authorizer would charter a school and how the authorizer  
91.25 intends to oversee the fiscal and student performance of the charter school and to comply  
91.26 with the terms of the written contract between the authorizer and the charter school  
91.27 board of directors under subdivision 6. The commissioner must approve or disapprove  
91.28 the authorizer's affidavit within 60 business days of receipt of the affidavit. If the  
91.29 commissioner disapproves the affidavit, the commissioner shall notify the authorizer of  
91.30 the deficiencies in the affidavit and the authorizer then has 20 business days to address the  
91.31 deficiencies. The commissioner must notify the authorizer of final approval or disapproval  
91.32 within 15 business days after receiving the authorizer's response to the deficiencies in the  
91.33 affidavit. If the authorizer does not address deficiencies to the commissioner's satisfaction,  
91.34 the commissioner's disapproval is final. Failure to obtain commissioner approval precludes  
91.35 an authorizer from chartering the school that is the subject of this affidavit.

92.1 (c) The authorizer may prevent an approved charter school from opening for  
92.2 operation if, among other grounds, the charter school violates this section or does not meet  
92.3 the ready-to-open standards that are part of the authorizer's oversight and evaluation  
92.4 process or are stipulated in the charter school contract.

92.5 (d) The operators authorized to organize and operate a school, before entering into  
92.6 a contract or other agreement for professional or other services, goods, or facilities,  
92.7 must incorporate as a nonprofit corporation under chapter 317A and must establish a  
92.8 board of directors composed of at least five members who are not related parties until a  
92.9 timely election for members of the ongoing charter school board of directors is held  
92.10 according to the school's articles and bylaws under paragraph (f). A charter school board  
92.11 of directors must be composed of at least five members who are not related parties.  
92.12 Staff members employed at the school, including teachers providing instruction under a  
92.13 contract with a cooperative, members of the board of directors, and all parents or legal  
92.14 guardians of children enrolled in the school are the voters eligible to elect the members  
92.15 of the school's board of directors. A charter school must notify eligible voters of the  
92.16 school board election dates at least 30 days before the election. Board of director meetings  
92.17 must comply with chapter 13D.

92.18 (e) A charter school shall publish and maintain on the school's official Web site: (1)  
92.19 the minutes of meetings of the board of directors, and of members and committees having  
92.20 any board-delegated authority, for at least one calendar year from the date of publication;  
92.21 (2) directory information for members of the board of directors and committees having  
92.22 board-delegated authority; and (3) identifying and contact information for the school's  
92.23 authorizer. Identifying and contact information for the school's authorizer must be  
92.24 included in other school materials made available to the public. Upon request of an  
92.25 individual, the charter school must also make available in a timely fashion financial  
92.26 statements showing all operations and transactions affecting income, surplus, and deficit  
92.27 during the school's last annual accounting period; and a balance sheet summarizing assets  
92.28 and liabilities on the closing date of the accounting period. A charter school also must  
92.29 include that same information about its authorizer in other school materials that it makes  
92.30 available to the public.

92.31 (f) Every charter school board member shall attend annual training throughout the  
92.32 member's term on the board. All new board members shall attend initial training on  
92.33 the board's role and responsibilities, employment policies and practices, and financial  
92.34 management. A new board member who does not begin the required initial training within  
92.35 six months after being seated and complete that training within 12 months of being seated  
92.36 on the board is automatically ineligible to continue to serve as a board member. The

93.1 school shall include in its annual report the training attended by each board member  
93.2 during the previous year.

93.3 (g) The ongoing board must be elected before the school completes its third year of  
93.4 operation. Board elections must be held during the school year but may not be conducted  
93.5 on days when the school is closed for holidays, breaks, or vacations. The charter school  
93.6 board of directors shall be composed of at least five nonrelated members and include: (i)  
93.7 at least one licensed teacher employed as a teacher at the school or providing instruction  
93.8 under contract between the charter school and a cooperative; (ii) at least one parent or  
93.9 legal guardian of a student enrolled in the charter school who is not an employee of  
93.10 the charter school; and (iii) at least one interested community member who resides in  
93.11 Minnesota and is not employed by the charter school and does not have a child enrolled  
93.12 in the school. The board may include a majority of teachers described in this paragraph  
93.13 or parents or community members, or it may have no clear majority. The chief financial  
93.14 officer and the chief administrator may only serve as ex-officio nonvoting board members.  
93.15 No charter school employees shall serve on the board other than teachers under item (i).  
93.16 Contractors providing facilities, goods, or services to a charter school shall not serve on  
93.17 the board of directors of the charter school. Board bylaws shall outline the process and  
93.18 procedures for changing the board's governance structure, consistent with chapter 317A.  
93.19 A board may change its governance structure only:

93.20 (1) by a majority vote of the board of directors and a majority vote of the licensed  
93.21 teachers employed by the school as teachers, including licensed teachers providing  
93.22 instruction under a contract between the school and a cooperative; and

93.23 (2) with the authorizer's approval.

93.24 Any change in board governance structure must conform with the composition of  
93.25 the board established under this paragraph.

93.26 (h) The granting or renewal of a charter by an authorizer must not be conditioned  
93.27 upon the bargaining unit status of the employees of the school.

93.28 (i) The granting or renewal of a charter school by an authorizer must not be  
93.29 contingent on the charter school being required to contract, lease, or purchase services  
93.30 from the authorizer. Any potential contract, lease, or purchase of service from an  
93.31 authorizer must be disclosed to the commissioner, accepted through an open bidding  
93.32 process, and be a separate contract from the charter contract. The school must document  
93.33 the open bidding process. An authorizer must not enter into a contract to provide  
93.34 management and financial services for a school that it authorizes, unless the school  
93.35 documents that it received at least two competitive bids.

94.1 ~~(j) An authorizer may permit the board of directors of a charter school to expand the~~  
94.2 ~~operation of the charter school to additional sites or grades at the school beyond those~~  
94.3 ~~described in the authorizer's original affidavit as approved by the commissioner only~~  
94.4 ~~after submitting a supplemental affidavit for approval to the commissioner in a form and~~  
94.5 ~~manner prescribed by the commissioner. The supplemental affidavit must document that:~~

94.6 ~~(1) the proposed expansion plan demonstrates need and projected enrollment;~~

94.7 ~~(2) the expansion is warranted, at a minimum, by longitudinal data demonstrating~~  
94.8 ~~students' improved academic performance and growth on statewide assessments under~~  
94.9 ~~chapter 120B;~~

94.10 ~~(3) the charter school is financially sound and the financing it needs to implement~~  
94.11 ~~the proposed expansion exists; and~~

94.12 ~~(4) the charter school has the governance structure and management capacity to~~  
94.13 ~~carry out its expansion.~~

94.14 (j) A charter school may apply to the authorizer to amend the school charter to  
94.15 expand the operation of the school to additional grades or sites that would be students'  
94.16 primary enrollment site beyond those defined in the original affidavit approved by the  
94.17 commissioner. After approving the school's application, the authorizer shall submit a  
94.18 supplementary affidavit in the form and manner prescribed by the commissioner. The  
94.19 authorizer must file a supplement affidavit by October 1 to be eligible to expand in the next  
94.20 school year. The supplementary affidavit must document that the school has demonstrated  
94.21 to the satisfaction of the authorizer the following:

94.22 (1) the need for the expansion with supporting long-range enrollment projections;

94.23 (2) a longitudinal record of demonstrated student academic performance and growth  
94.24 on statewide assessments under chapter 120B or on other academic assessments that  
94.25 measure longitudinal student performance and growth approved by the charter school's  
94.26 board of directors and agreed upon with the authorizer;

94.27 (3) a history of sound school finances and a finance plan to implement the expansion  
94.28 in a manner to promote the school's financial sustainability; and

94.29 (4) board capacity and an administrative and management plan to implement its  
94.30 expansion.

94.31 (k) The commissioner shall have 30 business days to review and comment on the  
94.32 supplemental affidavit. The commissioner shall notify the authorizer in writing of any  
94.33 deficiencies in the supplemental affidavit and the authorizer then has 20 business days to  
94.34 address, to the commissioner's satisfaction, any deficiencies in the supplemental affidavit.  
94.35 The commissioner must notify the authorizer of final approval or disapproval with 15  
94.36 business days after receiving the authorizer's response to the deficiencies in the affidavit.

95.1 The school may not expand grades or add sites until the commissioner has approved the  
95.2 supplemental affidavit. The commissioner's approval or disapproval of a supplemental  
95.3 affidavit is final.

95.4 Sec. 33. Minnesota Statutes 2013 Supplement, section 124D.10, subdivision 6, is  
95.5 amended to read:

95.6 Subd. 6. **Charter contract.** The authorization for a charter school must be in the  
95.7 form of a written contract signed by the authorizer and the board of directors of the charter  
95.8 school. The contract must be completed within 45 business days of the commissioner's  
95.9 approval of the authorizer's affidavit. The authorizer shall submit to the commissioner a  
95.10 copy of the signed charter contract within ten business days of its execution. The contract  
95.11 for a charter school must be in writing and contain at least the following:

95.12 (1) a declaration that the charter school will carry out the primary purpose in  
95.13 subdivision 1 and how the school will report its implementation of the primary purpose;

95.14 (2) a declaration of the additional purpose or purposes in subdivision 1 that the school  
95.15 intends to carry out and how the school will report its implementation of those purposes;

95.16 (3) a description of the school program and the specific academic and nonacademic  
95.17 outcomes that pupils must achieve;

95.18 (4) a statement of admission policies and procedures;

95.19 (5) a governance, management, and administration plan for the school;

95.20 (6) signed agreements from charter school board members to comply with all  
95.21 federal and state laws governing organizational, programmatic, and financial requirements  
95.22 applicable to charter schools;

95.23 (7) the criteria, processes, and procedures that the authorizer will use to monitor and  
95.24 evaluate the fiscal, operational, and academic performance consistent with subdivision  
95.25 15, paragraphs (a) and (b);

95.26 (8) for contract renewal, the formal written performance evaluation of the school  
95.27 that is a prerequisite for reviewing a charter contract under subdivision 15;

95.28 (9) types and amounts of insurance liability coverage to be obtained by the charter  
95.29 school, consistent with subdivision 8, paragraph (k);

95.30 (10) consistent with subdivision 25, paragraph (d), a provision to indemnify and  
95.31 hold harmless the authorizer and its officers, agents, and employees from any suit, claim,  
95.32 or liability arising from any operation of the charter school, and the commissioner and  
95.33 department officers, agents, and employees notwithstanding section 3.736;

95.34 (11) the term of the initial contract, which may be up to five years plus an additional  
95.35 preoperational planning year, and up to five years for a renewed contract or a contract with

96.1 a new authorizer after a transfer of authorizers, if warranted by the school's academic,  
96.2 financial, and operational performance;

96.3 (12) how the board of directors or the operators of the charter school will provide  
96.4 special instruction and services for children with a disability under sections 125A.03  
96.5 to 125A.24, and 125A.65, a description of the financial parameters within which the  
96.6 charter school will operate to provide the special instruction and services to children  
96.7 with a disability;

96.8 (13) the specific conditions for contract renewal that identify performance of all  
96.9 students under the primary purpose of subdivision 1 as the most important factor in  
96.10 determining contract renewal;

96.11 (14) the additional purposes under subdivision 1, paragraph (a), and related  
96.12 performance obligations under clause (7) contained in the charter contract as additional  
96.13 factors in determining contract renewal; and

96.14 (15) the plan for an orderly closing of the school under chapter 317A, whether  
96.15 the closure is a termination for cause, a voluntary termination, or a nonrenewal of the  
96.16 contract, that includes establishing the responsibilities of the school board of directors  
96.17 and the authorizer and notifying the commissioner, authorizer, school district in which the  
96.18 charter school is located, and parents of enrolled students about the closure, information  
96.19 and assistance sufficient to enable the student to re-enroll in another school, the transfer of  
96.20 student records under subdivision 8, paragraph (p), and procedures for closing financial  
96.21 operations.

96.22 Sec. 34. Minnesota Statutes 2013 Supplement, section 124D.10, subdivision 6a,  
96.23 is amended to read:

96.24 Subd. 6a. **Audit report.** (a) The charter school must submit an audit report to the  
96.25 commissioner and its authorizer by December 31 each year.

96.26 (b) The charter school, with the assistance of the auditor conducting the audit,  
96.27 must include with the report, as supplemental information, a copy of ~~all charter school~~  
96.28 ~~agreements for corporate management services, including parent company or other~~  
96.29 ~~administrative, financial, and staffing services~~ management agreements with a charter  
96.30 management organization or an educational management organization and service  
96.31 agreements or contracts over the lesser of \$100,000 or ten percent of the school's  
96.32 most recent annual audited expenditures. The agreements must detail the terms of the  
96.33 agreement, including the services provided and the annual costs for those services. If the  
96.34 entity that provides the professional services to the charter school is exempt from taxation  
96.35 under section 501 of the Internal Revenue Code of 1986, that entity must file with the

97.1 commissioner by February 15 a copy of the annual return required under section 6033 of  
97.2 the Internal Revenue Code of 1986.

97.3 (c) A charter school independent audit report shall include audited financial data of  
97.4 an affiliated building corporation or other component unit.

97.5 (d) If the audit report finds that a material weakness exists in the financial reporting  
97.6 systems of a charter school, the charter school must submit a written report to the  
97.7 commissioner explaining how the material weakness will be resolved. An auditor, as a  
97.8 condition of providing financial services to a charter school, must agree to make available  
97.9 information about a charter school's financial audit to the commissioner and authorizer  
97.10 upon request.

97.11 Sec. 35. Minnesota Statutes 2013 Supplement, section 124D.10, subdivision 8, is  
97.12 amended to read:

97.13 Subd. 8. **Federal, state, and local requirements.** (a) A charter school shall meet all  
97.14 federal, state, and local health and safety requirements applicable to school districts.

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

97.17 (c) A school authorized by a school board may be located in any district, unless the  
97.18 school board of the district of the proposed location disapproves by written resolution.

97.19 (d) A charter school must be nonsectarian in its programs, admission policies,  
97.20 employment practices, and all other operations. An authorizer may not authorize a charter  
97.21 school or program that is affiliated with a nonpublic sectarian school or a religious  
97.22 institution. A charter school student must be released for religious instruction, consistent  
97.23 with section 120A.22, subdivision 12, clause (3).

97.24 (e) Charter schools must not be used as a method of providing education or  
97.25 generating revenue for students who are being home-schooled. This paragraph does not  
97.26 apply to shared time aid under section 126C.19.

97.27 (f) The primary focus of a charter school must be to provide a comprehensive  
97.28 program of instruction for at least one grade or age group from five through 18 years of  
97.29 age. Instruction may be provided to people ~~younger than five years and older than 18 years~~  
97.30 of age. A charter school may offer a free preschool or prekindergarten that meets high  
97.31 quality early learning instructional program standards that are aligned with Minnesota's  
97.32 early learning standards for children.

97.33 (g) A charter school may not charge tuition.

97.34 (h) A charter school is subject to and must comply with chapter 363A and section  
97.35 121A.04.

98.1 (i) Once a student is enrolled in the school, the student is considered enrolled in the  
98.2 school until the student formally withdraws or is expelled under the Pupil Fair Dismissal  
98.3 Act in sections 121A.40 to 121A.56. A charter school is subject to and must comply with  
98.4 the Pupil Fair Dismissal Act, sections 121A.40 to 121A.56, and the Minnesota Public  
98.5 School Fee Law, sections 123B.34 to 123B.39.

98.6 (j) A charter school is subject to the same financial audits, audit procedures, and  
98.7 audit requirements as a district, except as required under subdivision 6a. Audits must be  
98.8 conducted in compliance with generally accepted governmental auditing standards, the  
98.9 federal Single Audit Act, if applicable, and section 6.65. A charter school is subject  
98.10 to and must comply with sections 15.054; 118A.01; 118A.02; 118A.03; 118A.04;  
98.11 118A.05; 118A.06; 471.38; 471.391; 471.392; and 471.425. The audit must comply with  
98.12 the requirements of sections 123B.75 to 123B.83, except to the extent deviations are  
98.13 necessary because of the program at the school. Deviations must be approved by the  
98.14 commissioner and authorizer. The Department of Education, state auditor, legislative  
98.15 auditor, or authorizer may conduct financial, program, or compliance audits. A charter  
98.16 school determined to be in statutory operating debt under sections 123B.81 to 123B.83  
98.17 must submit a plan under section 123B.81, subdivision 4.

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

98.19 (l) A charter school must comply with chapters 13 and 13D; and sections 120A.22,  
98.20 subdivision 7; 121A.75; and 260B.171, subdivisions 3 and 5.

98.21 (m) A charter school is subject to the Pledge of Allegiance requirement under  
98.22 section 121A.11, subdivision 3.

98.23 (n) A charter school offering online courses or programs must comply with section  
98.24 124D.095.

98.25 (o) A charter school and charter school board of directors are subject to chapter 181.

98.26 (p) A charter school must comply with section 120A.22, subdivision 7, governing  
98.27 the transfer of students' educational records and sections 138.163 and 138.17 governing  
98.28 the management of local records.

98.29 (q) A charter school that provides early childhood health and developmental  
98.30 screening must comply with sections 121A.16 to 121A.19.

98.31 (r) A charter school that provides school-sponsored youth athletic activities must  
98.32 comply with section 121A.38.

98.33 (s) A charter school is subject to and must comply with continuing truant notification  
98.34 under section 260A.03.

98.35 (t) A charter school must develop and implement a teacher evaluation and peer  
98.36 review process under section 122A.40, subdivision 8, paragraph (b), clauses (2) to

99.1 (12). The teacher evaluation process in this paragraph does not create any additional  
 99.2 employment rights for teachers.

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

99.6 (v) A charter school must comply with all pupil transportation requirements in  
 99.7 section 123B.88, subdivision 1. A charter school must not require parents to surrender  
 99.8 their rights to pupil transportation under section 123B.88, subdivision 2.

99.9 Sec. 36. Minnesota Statutes 2013 Supplement, section 124D.10, subdivision 9, is  
 99.10 amended to read:

99.11 Subd. 9. **Admission requirements.** (a) A charter school may limit admission to:

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

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

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

99.17 (b) A charter school shall enroll an eligible pupil who submits a timely application,  
 99.18 unless the number of applications exceeds the capacity of a program, class, grade level, or  
 99.19 building. In this case, pupils must be accepted by lot. The charter school must develop  
 99.20 and publish, including on its Web site, a lottery policy and process that it must use when  
 99.21 accepting pupils by lot.

99.22 (c) A charter school shall give enrollment preference to a sibling of an enrolled pupil  
 99.23 and to a foster child of that pupil's parents and may give preference for enrolling children  
 99.24 of the school's staff before accepting other pupils by lot. A charter school that is located in  
 99.25 a township and admits students in prekindergarten through grade 6 must give enrollment  
 99.26 preference to students residing within a five-mile radius of the school and to the siblings of  
 99.27 enrolled children. A charter school may give enrollment preference to children currently  
 99.28 enrolled in the school's free preschool or prekindergarten program under subdivision 8,  
 99.29 paragraph (f), who are eligible to enroll in kindergarten in the next school year.

99.30 (d) A person shall not be admitted to a charter school (1) as a kindergarten pupil,  
 99.31 unless the pupil is at least five years of age on September 1 of the calendar year in which  
 99.32 the school year for which the pupil seeks admission commences; or (2) as a first grade  
 99.33 student, unless the pupil is at least six years of age on September 1 of the calendar year in  
 99.34 which the school year for which the pupil seeks admission commences or has completed  
 99.35 kindergarten; except that a charter school may establish and publish on its Web site a

100.1 policy for admission of selected pupils at an earlier age, consistent with the enrollment  
100.2 process in paragraphs (b) and (c).

100.3 (e) Except as permitted in paragraph (d), a charter school may not limit admission  
100.4 to pupils on the basis of intellectual ability, measures of achievement or aptitude, or  
100.5 athletic ability and may not establish any criteria or requirements for admission that are  
100.6 inconsistent with this subdivision.

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

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

100.12 Sec. 37. Minnesota Statutes 2013 Supplement, section 124D.10, subdivision 17a,  
100.13 is amended to read:

100.14 Subd. 17a. **Affiliated nonprofit building corporation.** (a) ~~Before~~ A charter school  
100.15 may organize an affiliated nonprofit building corporation ~~(i) (1) to renovate or purchase,~~  
100.16 expand, or renovate an existing facility to serve as a school or (ii) (2) to expand an existing  
100.17 building or construct a new school facility, ~~an authorizer must submit an affidavit to the~~  
100.18 ~~commissioner for approval in the form and manner the commissioner prescribes, and~~  
100.19 ~~consistent with paragraphs (b) and (c) or (d).~~ if the charter school:

100.20 (i) has been in operation for at least six consecutive years;

100.21 (ii) as of June 30 has a net positive unreserved general fund balance in the preceding  
100.22 three fiscal years;

100.23 (iii) has long-range strategic and financial plans that include enrollment projections  
100.24 for at least five years;

100.25 (iv) completes a feasibility study of facility options that outlines the benefits and  
100.26 costs of the options; and

100.27 (v) has a plan for purchase, renovation, or new construction which describes project  
100.28 parameters and budget.

100.29 (b) An affiliated nonprofit building corporation under this subdivision must:

100.30 (1) be incorporated under section 317A;

100.31 (2) comply with applicable Internal Revenue Service regulations, including  
100.32 regulations for "supporting organizations" as defined by the Internal Revenue Service;

100.33 (3) post on the school Web site the name, mailing address, bylaws, minutes of board  
100.34 meetings, and the names of the current board of directors of the affiliated nonprofit  
100.35 building corporation;

101.1 ~~(3) (4)~~ submit to the commissioner each fiscal year a list of current board members  
 101.2 and a copy of its annual audit by December 31 of each year; and

101.3 ~~(4) (5)~~ comply with government data practices law under chapter 13.

101.4 (c) An affiliated nonprofit building corporation must not serve as the leasing agent  
 101.5 for property or facilities it does not own. A charter school that leases a facility from an  
 101.6 affiliated nonprofit building corporation that does not own the leased facility is ineligible  
 101.7 to receive charter school lease aid. The state is immune from liability resulting from a  
 101.8 contract between a charter school and an affiliated nonprofit building corporation.

101.9 ~~(e) A charter school may organize an affiliated nonprofit building corporation to~~  
 101.10 ~~renovate or purchase an existing facility to serve as a school if the charter school:~~

101.11 ~~(1) has been operating for at least five consecutive school years;~~

101.12 ~~(2) has had a net positive unreserved general fund balance as of June 30 in the~~  
 101.13 ~~preceding five fiscal years;~~

101.14 ~~(3) has a long-range strategic and financial plan;~~

101.15 ~~(4) completes a feasibility study of available buildings;~~

101.16 ~~(5) documents enrollment projections and the need to use an affiliated building~~  
 101.17 ~~corporation to renovate or purchase an existing facility to serve as a school; and~~

101.18 ~~(6) has a plan for the renovation or purchase, which describes the parameters and~~  
 101.19 ~~budget for the project.~~

101.20 ~~(d) A charter school may organize an affiliated nonprofit building corporation to~~  
 101.21 ~~expand an existing school facility or construct a new school facility if the charter school:~~

101.22 ~~(1) demonstrates the lack of facilities available to serve as a school;~~

101.23 ~~(2) has been operating for at least eight consecutive school years;~~

101.24 ~~(3) has had a net positive unreserved general fund balance as of June 30 in the~~  
 101.25 ~~preceding five fiscal years;~~

101.26 ~~(4) completes a feasibility study of facility options;~~

101.27 ~~(5) has a long-range strategic and financial plan that includes enrollment projections~~  
 101.28 ~~and demonstrates the need for constructing a new school facility; and~~

101.29 ~~(6) has a plan for the expansion or new school facility, which describes the~~  
 101.30 ~~parameters and budget for the project.~~

101.31 (d) Once an affiliated nonprofit building corporation is incorporated under this  
 101.32 subdivision, the authorizer of the school must oversee the efforts of the school's board  
 101.33 of directors to ensure the affiliated nonprofit building corporation complies with all legal  
 101.34 requirements governing the affiliated nonprofit building corporation. A school's board  
 101.35 of directors that fails to ensure the affiliated nonprofit building corporation's compliance

102.1 violates its responsibilities and an authorizer must factor the failure into the authorizer's  
102.2 evaluation of the school.

102.3 Sec. 38. Minnesota Statutes 2013 Supplement, section 124D.10, subdivision 17b,  
102.4 is amended to read:

102.5 Subd. 17b. **Positive review and comment.** ~~A charter school or an affiliated~~  
102.6 ~~nonprofit building corporation organized by a charter school must not initiate an~~  
102.7 ~~installment contract for purchase, or a lease agreement, or solicit bids for new construction,~~  
102.8 ~~expansion, or remodeling of an educational facility that requires an expenditure in~~  
102.9 ~~excess of \$1,400,000, unless it meets the criteria in subdivision 17a, paragraph (b) and~~  
102.10 ~~paragraph (c) or (d), as applicable, and receives a positive review and comment from the~~  
102.11 ~~commissioner under section 123B.71.~~ A charter school or its affiliated nonprofit building  
102.12 corporation must receive a positive review and comment from the commissioner before  
102.13 initiating any purchase agreement or construction contract that requires an expenditure in  
102.14 excess of the threshold specified in section 123B.71, subdivision 8, for school districts that  
102.15 do not have a capital loan outstanding. A purchase agreement or construction contract  
102.16 finalized before a positive review and comment is null and void.

102.17 Sec. 39. Minnesota Statutes 2013 Supplement, section 124D.11, subdivision 4, is  
102.18 amended to read:

102.19 Subd. 4. **Building lease aid.** (a) When a charter school finds it economically  
102.20 advantageous to rent or lease a building or land for any instructional purposes and it  
102.21 determines that the total operating capital revenue under section 126C.10, subdivision 13,  
102.22 is insufficient for this purpose, it may apply to the commissioner for building lease aid  
102.23 for this purpose. The commissioner must review and either approve or deny a lease aid  
102.24 application using the following criteria:

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

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

102.27 (3) the appropriateness of the proposed lease in the context of the space needs and

102.28 financial circumstances of the charter school. The commissioner must approve aid only for  
102.29 a facility lease that has (i) a sum certain annual cost and (ii) ~~an escape clause the charter~~  
102.30 ~~school may exercise if its charter contract is terminated or not renewed~~ a closure clause  
102.31 that relieves the school from its lease obligations if the charter contract is terminated or  
102.32 not renewed. Nothing in this clause exempts the charter school from any lease obligations  
102.33 before the effective date on which the charter contract is terminated or not renewed.

103.1 A charter school must not use the building lease aid it receives for custodial, maintenance  
103.2 service, utility, or other operating costs.

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

103.6 Sec. 40. Minnesota Statutes 2013 Supplement, section 124D.4531, subdivision 1,  
103.7 is amended to read:

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

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

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

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

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

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

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

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

103.29 (8) specialized vocational instructional supplies.

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

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

104.1 ~~(d)~~ (c) The amount of the revenue calculated under this subdivision may not exceed  
104.2 \$17,850,000 for taxes payable in 2012, \$15,520,000 for taxes payable in 2013, and  
104.3 \$20,657,000 for taxes payable in 2014.

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

104.7 Sec. 41. Minnesota Statutes 2013 Supplement, section 124D.4531, subdivision 3,  
104.8 is amended to read:

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

- 104.11 (1) the district's career and technical education revenue for the previous fiscal year; or  
104.12 (2) 100 percent of the approved expenditures for career and technical programs  
104.13 included in subdivision 1, paragraph ~~(b)~~ (a), for the fiscal year in which the levy is certified.

104.14 Sec. 42. Minnesota Statutes 2013 Supplement, section 124D.4531, subdivision 3a,  
104.15 is amended to read:

104.16 Subd. 3a. **Revenue adjustments.** Notwithstanding subdivisions 1, 1a, and 3, for  
104.17 taxes payable in 2012 to 2014 only, the department must calculate the career and technical  
104.18 revenue for each district according to Minnesota Statutes 2010, section 124D.4531, and  
104.19 adjust the revenue for each district proportionately to meet the statewide revenue target  
104.20 under subdivision 1, paragraph ~~(d)~~ (c). For purposes of calculating the revenue guarantee  
104.21 under subdivision 3, the career and technical education revenue for the previous fiscal  
104.22 year is the revenue according to Minnesota Statutes 2010, section 124D.4531, before  
104.23 adjustments to meet the statewide revenue target.

104.24 Sec. 43. Minnesota Statutes 2013 Supplement, section 124D.52, subdivision 8, is  
104.25 amended to read:

104.26 Subd. 8. **Standard high school diploma for adults.** (a) Consistent with subdivision  
104.27 9, the commissioner shall ~~adopt rules for providing~~ provide for a standard adult high  
104.28 school diploma to persons who:

- 104.29 (1) are not eligible for kindergarten through grade 12 services;  
104.30 (2) do not have a high school diploma; and  
104.31 (3) successfully complete an adult basic education program of instruction approved  
104.32 by the commissioner of education necessary to earn an adult high school diploma.

105.1 (b) Persons participating in an approved adult basic education program of instruction  
105.2 must demonstrate the competencies, knowledge, and skills sufficient to ensure that  
105.3 postsecondary programs and institutions and potential employers regard persons with a  
105.4 standard high school diploma and persons with a standard adult high school diploma as  
105.5 equally well prepared and qualified graduates. Approved adult basic education programs  
105.6 of instruction under this subdivision must issue a standard adult high school diploma to  
105.7 persons who successfully demonstrate the competencies, knowledge, and skills required  
105.8 by the program.

105.9 **EFFECTIVE DATE.** This section is effective August 1, 2014.

105.10 Sec. 44. Minnesota Statutes 2012, section 124D.52, is amended by adding a  
105.11 subdivision to read:

105.12 **Subd. 9. Standard adult high school diploma requirements.** (a) The  
105.13 commissioner must establish criteria and requirements for eligible adult basic education  
105.14 consortia under section 124D.518, subdivision 2, to effectively operate and provide  
105.15 instruction under this subdivision.

105.16 (b) An eligible and interested adult basic education consortium must apply to the  
105.17 commissioner, in the form and manner determined by the commissioner, for approval to  
105.18 provide an adult high school diploma program to eligible students under subdivision 8,  
105.19 paragraph (a). An approved consortium annually must submit to the commissioner the  
105.20 longitudinal and evaluative data, identified in the consortium's application, to demonstrate  
105.21 its compliance with applicable federal and state law and its approved application and  
105.22 the efficacy of its adult high school diploma program. The commissioner must use the  
105.23 data to evaluate whether or not to reapprove an eligible consortium every fifth year. The  
105.24 commissioner, at the commissioner's discretion, may reevaluate the compliance or efficacy  
105.25 of a program provider sooner than every fifth year. The commissioner may limit the  
105.26 number or size of adult high school diploma programs based on identified community  
105.27 needs, available funding, other available resources, or other relevant criteria identified by  
105.28 the commissioner.

105.29 (c) At the time a student applies for admission to an adult high school diploma  
105.30 program, the program provider must work with the student applicant to:

105.31 (1) identify the student's learning goals, skills and experiences, required  
105.32 competencies already completed, and goals and options for viable career pathways;

105.33 (2) assess the student's instructional needs; and

105.34 (3) develop an individualized learning plan to guide the student in completing adult  
105.35 high school diploma requirements and realizing career goals identified in the plan.

106.1 To fully implement the learning plan, the provider must provide the student with ongoing  
106.2 advising, monitor the student's progress toward completing program requirements and  
106.3 receiving a diploma, and provide the student with additional academic support services  
106.4 when needed. At the time a student satisfactorily completes all program requirements and  
106.5 is eligible to receive a diploma, the provider must conduct a final student interview to  
106.6 examine both student and program outcomes related to the student's ability to demonstrate  
106.7 required competencies and complete program requirements and to assist the student with  
106.8 the student's transition to training, a career, or postsecondary education.

106.9 (d) Competencies and other program requirements must be rigorous, uniform  
106.10 throughout the state, and align to Minnesota academic high school standards applicable  
106.11 to adult learners and their career and college needs. The commissioner must establish  
106.12 competencies, skills, and knowledge requirements in the following areas, consistent with  
106.13 this paragraph:

106.14 (1) language arts, including reading, writing, speaking, and listening;

106.15 (2) mathematics;

106.16 (3) career development and employment-related skills;

106.17 (4) social studies; and

106.18 (5) science.

106.19 (e) Consistent with criteria established by the commissioner, students may  
106.20 demonstrate satisfactory completion of program requirements through verification of  
106.21 the student's:

106.22 (1) prior experiences, including kindergarten through grade 12 courses and  
106.23 programs, postsecondary courses and programs, adult basic education instruction, and  
106.24 other approved experiences aligned with the Minnesota academic high school standards  
106.25 applicable to adult learners and their career and college needs;

106.26 (2) knowledge and skills as measured or demonstrated by valid and reliable  
106.27 high school assessments, secondary credentials, adult basic education programs, and  
106.28 postsecondary entrance exams;

106.29 (3) adult basic education instruction and course completion; and

106.30 (4) applied and experiential learning acquired via contextualized projects and other  
106.31 approved learning opportunities.

106.32 (f) Program providers must transmit a student's record of work to another approved  
106.33 consortium for any student who transfers between approved programs under this  
106.34 subdivision. The commissioner must establish a uniform format and transcript to record a  
106.35 student's record of work and also the manner under which approved consortia maintain  
106.36 permanent student records and transmit transferred student records. At a student's request,

107.1 a program provider must transmit the student's record of work to other entities such as  
107.2 a postsecondary institution or employer.

107.3 (g) The commissioner may issue a standard adult high school diploma and transmit  
107.4 the transcript and record of work of the student who receives the diploma. Alternatively, a  
107.5 school district that is a member of an approved consortium providing a program under  
107.6 this subdivision may issue a district diploma to a student who satisfactorily completes the  
107.7 requirements for a standard adult high school diploma under this subdivision.

107.8 (h) The commissioner must identify best practices for adult basic education  
107.9 programs and develop adult basic education recommendations consistent with this  
107.10 subdivision to assist approved consortia in providing an adult high school diploma  
107.11 program. The commissioner must provide assistance to consortia providing an approved  
107.12 adult high school diploma program.

107.13 (i) The commissioner must consult with practitioners from throughout Minnesota,  
107.14 including educators, school board members, and school administrators, among others,  
107.15 who are familiar with adult basic education students and programs, on establishing the  
107.16 standards, requirements, and other criteria needed to ensure, consistent with subdivision 8,  
107.17 that persons with a standard adult high school diploma are as equally well prepared and  
107.18 qualified graduates as persons with a standard high school diploma. The commissioner,  
107.19 in consultation with the practitioners, shall regularly review program requirements and  
107.20 diploma standards.

107.21 **EFFECTIVE DATE.** This section is effective August 1, 2014.

107.22 Sec. 45. Minnesota Statutes 2012, section 124D.896, is amended to read:

107.23 **124D.896 DESEGREGATION/INTEGRATION AND INCLUSIVE**  
107.24 **EDUCATION RULES.**

107.25 (a) ~~By January 10, 1999,~~ The commissioner shall propose rules relating to  
107.26 desegregation/integration and inclusive education, consistent with sections 124D.861  
107.27 and 124D.862.

107.28 (b) In adopting a rule related to school desegregation/integration, the commissioner  
107.29 shall address the need for equal educational opportunities for all students and racial  
107.30 balance as defined by the commissioner.

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

107.32 Sec. 46. Minnesota Statutes 2012, section 127A.70, is amended by adding a  
107.33 subdivision to read:

108.1 Subd. 2a. Career pathways and technical education; key elements; stakeholder  
108.2 collaboration. (a) The partnership must work with representatives of the Department of  
108.3 Education, the Department of Employment and Economic Development, the Department  
108.4 of Labor, the Board of Teaching, the Board of School Administrators, trade associations,  
108.5 local and regional employers, local school boards, adult basic education program providers,  
108.6 postsecondary institutions, parents, other interested and affected education stakeholders,  
108.7 and other major statewide educational groups and constituencies to recommend to the  
108.8 legislature ways to identify specific policy, administrative, and statutory changes needed  
108.9 under sections 120B.11, 120B.125, 122A.09, 122A.14, 122A.18, and 122A.60, among  
108.10 other statutory provisions, to effect and, if appropriate, revise a comprehensive, effective,  
108.11 and publicly accountable P-20 education system premised on developing, implementing,  
108.12 and realizing students' individual career and college readiness plans and goals. In  
108.13 developing its recommendations, the partnership must consider how best to:

108.14 (1) provide students regular and frequent access to multiple qualified individuals  
108.15 within the school and local and regional community who have access to reliable and  
108.16 accurate information, resources, and technology the students need to successfully pursue  
108.17 career and technical education, other postsecondary education, or work-based training  
108.18 options;

108.19 (2) regularly engage students in planning and continually reviewing their own  
108.20 career and college readiness plans and goals and in pursuing academic and applied and  
108.21 experiential learning that helps them realize their goals; and

108.22 (3) identify and apply valid and reliable measures of student progress and  
108.23 program efficacy that, among other requirements, can accommodate students' prior  
108.24 education-related experiences and applied and experiential learning that students acquire  
108.25 via contextualized projects and other recognized learning opportunities.

108.26 (b) The partnership must recommend to the commissioner of education and  
108.27 representatives of secondary and postsecondary institutions and programs how to organize  
108.28 and implement a framework of the foundational knowledge and skills and career fields,  
108.29 clusters, and pathways for students enrolled in a secondary school, postsecondary  
108.30 institution, or work-based program. The key elements of these programs of study for  
108.31 students pursuing postsecondary workforce training or other education must include:

108.32 (1) competency-based curricula aligned with industry expectations and skill  
108.33 standards;

108.34 (2) sequential course offerings that gradually build students' skills, enabling students  
108.35 to graduate from high school and complete postsecondary programs;

109.1 (3) flexible and segmented course and program formats to accommodate students'  
109.2 interests and needs;

109.3 (4) course portability to allow students to seamlessly progress in the students'  
109.4 education and career; and

109.5 (5) effective and sufficiently strong P-20 connections to facilitate students'  
109.6 uninterrupted skill building, provide students with career opportunities, and align  
109.7 academic credentials with opportunities for advancement in high-skill, high-wage, and  
109.8 high-demand occupations.

109.9 (c) Stakeholders under this paragraph must examine possibilities for redesigning  
109.10 teacher and school administrator licensure requirements, and make recommendations to  
109.11 the Board of Teaching and the Board of School Administrators, respectively, to create  
109.12 specialized licenses, credentials, and other endorsement forms to increase students'  
109.13 participation in language immersion programs, world language instruction, career  
109.14 development opportunities, work-based learning, early college courses and careers, career  
109.15 and technical education programs, Montessori schools, and project and place-based  
109.16 learning, among other career and college-ready opportunities. Consistent with the  
109.17 possibilities for redesigning educators' licenses, the stakeholders also must examine how  
109.18 to restructure staff development and training opportunities under sections 120B.125 and  
109.19 122A.60 to realize the goals of this subdivision.

109.20 (d) The partnership must recommend to the Department of Education, the  
109.21 Department of Employment and Economic Development, and postsecondary institutions  
109.22 and systems how best to create a mobile, Web-based hub for students and their families  
109.23 that centralizes existing resources on careers and employment trends and the educational  
109.24 pathways required to attain such careers and employment.

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

109.26 Sec. 47. Minnesota Statutes 2012, section 128C.02, subdivision 5, is amended to read:

109.27 Subd. 5. **Rules for open enrollees.** (a) The league shall adopt league rules and  
109.28 regulations governing the athletic participation of pupils attending school in a nonresident  
109.29 district under section 124D.03.

109.30 (b) Notwithstanding other law or league rule or regulation to the contrary, when a  
109.31 student enrolls in or is readmitted to a recovery-focused high school after successfully  
109.32 completing a licensed program for treatment of alcohol or substance abuse, mental illness,  
109.33 or emotional disturbance, the student is immediately eligible to participate on the same basis  
109.34 as other district students in the league-sponsored activities of the student's resident school

110.1 district. Nothing in this paragraph prohibits the league or school district from enforcing a  
 110.2 league or district penalty resulting from the student violating a league or district rule.

110.3 (c) The league shall adopt league rules making a student with an individualized  
 110.4 education program or a 504 plan who transfers from one public school to another  
 110.5 public school as a reasonable accommodation to reduce barriers to educational access  
 110.6 immediately eligible to participate in league-sponsored varsity competition on the same  
 110.7 basis as other students in the school to which the student transfers.

110.8 **EFFECTIVE DATE.** This section is effective the day following final enactment  
 110.9 and applies to all transfers initiated after that date.

110.10 Sec. 48. Laws 2011, First Special Session chapter 11, article 2, section 12, the effective  
 110.11 date, is amended to read:

110.12 **EFFECTIVE DATE.** ~~This section applies to all collective bargaining agreements~~  
 110.13 ~~ratified after~~ is effective July 1, 2013.

110.14 Sec. 49. **CONSULTATION; CAREER AND TECHNICAL EDUCATION**  
 110.15 **PROGRAMS.**

110.16 (a) The commissioner of education must consult with experts knowledgeable about  
 110.17 secondary and postsecondary career and technical education programs to determine the  
 110.18 content and status of particular career and technical education programs in Minnesota  
 110.19 school districts, including cooperating districts under Minnesota Statutes, section 123A.33,  
 110.20 subdivision 2, integration districts, and postsecondary institutions partnering with school  
 110.21 districts or offering courses through PSEO or career and technical programs and the rates  
 110.22 of student participation and completion for these various programs, including: agriculture,  
 110.23 food, and natural resources; architecture and construction; arts, audiovisual technology,  
 110.24 and communications; business management and administration; computer science; family  
 110.25 and consumer science; finance; health science; hospitality and tourism; human services;  
 110.26 information technology; manufacturing; marketing; science, technology, engineering, and  
 110.27 mathematics; and transportation, distribution, and logistics.

110.28 (b) To accomplish paragraph (a) and to understand the current role of local school  
 110.29 districts and postsecondary institutions in providing career and technical education  
 110.30 programs, the commissioner of education, in consultation with experts, also must examine  
 110.31 the extent to which secondary and postsecondary education programs offer students a  
 110.32 progression of coordinated, nonduplicative courses that adequately prepare students to  
 110.33 successfully complete a career and technical education program.

111.1 (c) The commissioner of education must submit a report by February 1, 2015,  
111.2 to the education policy and finance committees of the legislature, consistent with this  
111.3 section, and include information about each district's dedicated equipment, resources, and  
111.4 relationships with postsecondary institutions.

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

111.6 Sec. 50. **SCHOOL YEAR-LONG STUDENT TEACHING PILOT PROGRAM.**

111.7 **Subdivision 1. Establishment; planning; eligibility.** (a) A school year-long student  
111.8 teaching pilot program for the 2015-2016 through 2018-2019 school years is established to  
111.9 provide teacher candidates with intensified and authentic classroom learning and experience  
111.10 so that newly licensed teachers, equipped with the best research and best practices  
111.11 available, can immediately begin work to increase student growth and achievement.

111.12 (b) An approved teacher preparation program, interested in participating in a school  
111.13 year-long student teaching pilot program in partnership with one or more school districts  
111.14 or charter schools, is eligible to participate in this pilot program if, during the 2014-2015  
111.15 school year, the interested teacher preparation program identifies needed changes to its  
111.16 program curriculum, develops an implementation plan, and receives Board of Teaching  
111.17 approval to modify its board application for this pilot program, and meets the criteria  
111.18 under subdivision 2.

111.19 **Subd. 2. Application and selection process.** (a) An approved teacher preparation  
111.20 program in partnership with one or more school districts or charter schools may apply to  
111.21 the Board of Teaching, in the form and manner determined by the board, to participate in  
111.22 the pilot program under this section. Consistent with subdivision 1, paragraph (b), the  
111.23 application must demonstrate the applicant's interest and ability to offer teacher candidates  
111.24 a school year-long student teaching program that combines clinical opportunities with  
111.25 academic course work and in-depth student teaching experiences. A student teacher  
111.26 under this pilot program must have: ongoing access to a team of teacher mentors  
111.27 to demonstrate to the student teacher various teaching methods, philosophies, and  
111.28 classroom environments; ongoing coaching and assessment; assistance in preparing an  
111.29 individual professional development plan that includes goals, activities, and assessment  
111.30 methodologies; structured learning experiences provided by the teacher preparation  
111.31 institution or program in collaboration with local or regional education professionals or  
111.32 other community experts; and receive payment for student teaching time.

111.33 (b) The board must make an effort to select qualified and diverse applicants from  
111.34 throughout the state.

112.1 Subd. 3. **Annual report; evaluation.** The board annually must transmit to the  
112.2 education policy and finance committees of the legislature no later than February 1 a  
112.3 data-based report showing the efforts and progress program participants made in preparing  
112.4 successful newly licensed teachers.

112.5 **EFFECTIVE DATE.** This section is effective for the 2014-2015 through 2018-2019  
112.6 school years.

112.7 Sec. 51. **STAFF DEVELOPMENT.**

112.8 Notwithstanding Minnesota Statutes, sections 122A.60 and 122A.61, or other law to  
112.9 the contrary, districts participating in a partnership with an approved teacher preparation  
112.10 program may use staff development revenue to offer teacher candidates a school year-long  
112.11 student teaching program under section 43.

112.12 Sec. 52. **LEGISLATIVE REPORT ON K-12 STUDENTS' EXPERIENCE WITH**  
112.13 **PHYSICAL EDUCATION.**

112.14 (a) The commissioner of education must prepare and submit to the education policy  
112.15 and finance committees of the legislature by January 15, 2015, a written report on K-12  
112.16 students' experience with physical education, consistent with this section. Among other  
112.17 physical education-related issues, the report must include:

112.18 (1) the number of minutes per day and frequency per week students in each  
112.19 grade level, kindergarten through grade 8, receive physical education and identify the  
112.20 requirements in high school physical education in terms of semesters, quarters, or school  
112.21 years;

112.22 (2) the measures and data used to assess students' level of fitness and the uses made  
112.23 of the fitness data;

112.24 (3) the educational preparation of physical education instructors and the proportion  
112.25 of time certified physical education teachers provide physical education instruction;

112.26 (4) the amount of time and number of days per week each grade level, kindergarten  
112.27 through grade 6, receives recess;

112.28 (5) whether high school students are allowed to substitute other activities for  
112.29 required physical education, and, if so, which activities qualify;

112.30 (6) the number or percentage of high school students who earn required physical  
112.31 education credits online; and

112.32 (7) whether schools offer before or after school physical activities opportunities in  
112.33 each grade level, kindergarten through grade 8, and in high school, and, if so, what are the  
112.34 opportunities.

113.1 (b) Any costs of preparing this report must be paid for out of the Department of  
113.2 Education's current operating budget.

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

113.4 Sec. 53. **BETTER ALIGNING MINNESOTA'S ALTERNATIVE TEACHER**  
113.5 **PROFESSIONAL PAY SYSTEM AND TEACHER EVALUATION PROGRAM.**

113.6 To better align Minnesota's alternative teacher professional pay system under  
113.7 Minnesota Statutes, sections 122A.413 to 122A.416, and Minnesota's teacher evaluation  
113.8 program under Minnesota Statutes, sections 122A.40, subdivision 8, and 122A.41,  
113.9 subdivision 5, and effect and fund an improved alignment of this system and program,  
113.10 the commissioner of education must consult with stakeholders, including representatives  
113.11 of the Minnesota Association of School Administrators, the Minnesota Association of  
113.12 Secondary School Principals, the Minnesota Elementary School Principals' Association,  
113.13 the Minnesota School Boards Association, the Department of Education, the College  
113.14 of Education and Human Development at the University of Minnesota, the Minnesota  
113.15 Association of the Colleges for Teacher Education, licensed elementary and secondary  
113.16 school teachers employed in school districts with an alternative teacher professional pay  
113.17 system agreement and licensed elementary and secondary school teachers employed in  
113.18 school districts without an alternative teacher professional pay system agreement, where  
113.19 one or more of these teachers may be a master teacher, peer evaluator, in another teacher  
113.20 leader position, or national board certified teacher, a teacher or school administrator  
113.21 employed in a Minnesota charter school with an alternative teacher professional pay system  
113.22 agreement and a teacher or school administrator employed in a Minnesota charter school  
113.23 without an alternative teacher professional pay system agreement, a parent or guardian of  
113.24 a student currently enrolled in a Minnesota public school, the Association of Metropolitan  
113.25 School Districts, and the Minnesota Rural Education Association. The commissioner also  
113.26 must consult with members of the house of representatives and members of the senate.

113.27 The commissioner, by February 1, 2015, must submit to the education policy and  
113.28 finance committees of the legislature written recommendations on better aligning and  
113.29 financing the alternative teacher professional pay system and teacher evaluation program.

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

114.1 **ARTICLE 4**

114.2 **SPECIAL PROGRAMS**

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

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

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

114.12 (c) Paragraphs (a) and (b) do not authorize conduct prohibited under sections  
114.13 ~~121A.58 and 121A.67~~ section 125A.0942.

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

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

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

114.18 (a) "Health plan" means:

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

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

114.21 (3) a self-insured health plan established by a local government under section  
114.22 471.617; or

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

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

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

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

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

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

- 115.1 (ii) the Minnesota children with special health needs program under sections 144.05  
115.2 and 144.07;
- 115.3 (iii) the Individuals with Disabilities Education Act, Part B, section 619, and Part  
115.4 C as amended;
- 115.5 (iv) medical assistance under title 42, chapter 7, of the Social Security Act;
- 115.6 (v) developmental disabilities services under chapter 256B;
- 115.7 (vi) the Head Start Act under title 42, chapter 105, of the Social Security Act;
- 115.8 (vii) vocational rehabilitation services provided under chapters 248 and 268A and  
115.9 the Rehabilitation Act of 1973;
- 115.10 (viii) Juvenile Court Act services provided under sections 260.011 to 260.91;  
115.11 260B.001 to 260B.446; and 260C.001 to 260C.451;
- 115.12 (ix) Minnesota Comprehensive Children's Mental Health Act under section 245.487;
- 115.13 (x) the community health services grants under sections 145.88 to 145.9266;
- 115.14 (xi) the Local Public Health Act under chapter 145A; and
- 115.15 (xii) the Vulnerable Children and Adults Act, sections 256M.60 to 256M.80;
- 115.16 (2) service provision and funding that can be coordinated through:
- 115.17 (i) the children's mental health collaborative under section 245.493;
- 115.18 (ii) the family services collaborative under section 124D.23;
- 115.19 (iii) the community transition interagency committees under section 125A.22; and
- 115.20 (iv) the interagency early intervention committees under section 125A.259;
- 115.21 (3) financial and other funding programs to be coordinated including medical  
115.22 assistance under title 42, chapter 7, of the Social Security Act, the MinnesotaCare program  
115.23 under chapter 256L, Supplemental Social Security Income, Developmental Disabilities  
115.24 Assistance, and any other employment-related activities associated with the Social  
115.25 Security Administration; and services provided under a health plan in conformity with an  
115.26 individual family service plan or an individualized education program or an individual  
115.27 interagency intervention plan; and
- 115.28 (4) additional appropriate services that local agencies and counties provide on  
115.29 an individual need basis upon determining eligibility and receiving a request from the  
115.30 interagency early intervention committee and the child's parent.
- 115.31 ~~(e)~~ (d) "Children with disabilities" has the meaning given in section 125A.02.
- 115.32 ~~(f)~~ (e) A "standardized written plan" means those individual services or programs,  
115.33 with accompanying funding sources, available through the interagency intervention  
115.34 service system to an eligible child other than the services or programs described in the  
115.35 child's individualized education program or the child's individual family service plan.

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

116.2 Subd. 4. **State Interagency Committee.** (a) The commissioner of education, on  
116.3 behalf of the governor, shall convene ~~a 19-member~~ an interagency committee to develop  
116.4 and implement a coordinated, multidisciplinary, interagency intervention service system  
116.5 for children ages three to 21 with disabilities. The commissioners of commerce, education,  
116.6 health, human rights, human services, employment and economic development, and  
116.7 corrections shall each appoint two committee members from their departments; ~~the~~  
116.8 ~~Association of Minnesota Counties shall appoint two county representatives, one of whom~~  
116.9 ~~must be an elected official, as committee members;~~ and the Association of Minnesota  
116.10 Counties, Minnesota School Boards Association, the Minnesota Administrators of Special  
116.11 Education, and the School Nurse Association of Minnesota shall each appoint one  
116.12 committee member. The committee shall select a chair from among its members.

116.13 (b) The committee shall:

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

116.16 (2) identify adequate, equitable, and flexible funding sources to streamline these  
116.17 services;

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

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

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

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

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

116.31 ~~(8)~~ (4) carry out other duties necessary to develop and implement within  
116.32 communities a coordinated, multidisciplinary, interagency intervention service system for  
116.33 children with disabilities.

116.34 (c) The committee shall consult on an ongoing basis with the state Special Education  
116.35 ~~Advisory Committee for Special Education Panel~~ and the governor's Interagency

117.1 Coordinating Council in carrying out its duties under this section, including assisting the  
 117.2 governing boards of the interagency early intervention committees.

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

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

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

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

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

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

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

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

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

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

117.32 (8) (3) coordinate services and facilitate payment for services from public and  
 117.33 private institutions, agencies, and health plan companies; and

117.34 (9) (4) share needed information consistent with state and federal data practices  
 117.35 requirements.

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

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

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

118.13 (c) School and county boards shall coordinate interagency services. Service  
 118.14 responsibilities for eligible children, ages 3 to 21, ~~shall~~ may be established in interagency  
 118.15 agreements or joint powers board agreements. In addition, interagency agreements or joint  
 118.16 powers board agreements ~~shall~~ may be developed to establish agency responsibility that  
 118.17 assures that coordinated interagency services are coordinated, provided, and paid for, and  
 118.18 that payment is facilitated from public and private sources. School boards must provide,  
 118.19 pay for, and facilitate payment for special education services as required under sections  
 118.20 125A.03 and 125A.06. County boards must provide, pay for, and facilitate payment for  
 118.21 those programs over which they have service and fiscal responsibility as referenced in  
 118.22 section 125A.023, subdivision 3, paragraph ~~(d)~~ (c), clause (1).

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

118.24 **125A.03 SPECIAL INSTRUCTION FOR CHILDREN WITH A DISABILITY.**

118.25 (a) As defined in paragraph (b), every district must provide special instruction and  
 118.26 services, either within the district or in another district, for all children with a disability,  
 118.27 including providing required services under Code of Federal Regulations, title 34, section  
 118.28 300.121, paragraph (d), to those children suspended or expelled from school for more than  
 118.29 ten school days in that school year, who are residents of the district and who are disabled  
 118.30 as set forth in section 125A.02. For purposes of state and federal special education  
 118.31 laws, the phrase "special instruction and services" in the state Education Code means a  
 118.32 free and appropriate public education provided to an eligible child with disabilities ~~and~~  
 118.33 ~~includes special education and related services defined in the Individuals with Disabilities~~  
 118.34 ~~Education Act, subpart A, section 300.24.~~ "Free appropriate public education" means  
 118.35 special education and related services that:

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

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

119.5 (3) include an appropriate preschool, elementary school, or secondary school  
119.6 education; and

119.7 (4) are provided to children ages three through 21 in conformity with an  
119.8 individualized education program that meets the requirements of the Individuals with  
119.9 Disabilities Education Act, subpart A, sections 300.320 to 300.324, and provided to  
119.10 infants and toddlers in conformity with an individualized family service plan that meets  
119.11 the requirements of the Individuals with Disabilities Education Act, subpart A, sections  
119.12 303.300 to 303.346.

119.13 (b) Notwithstanding any age limits in laws to the contrary, special instruction and  
119.14 services must be provided from birth until July 1 after the child with a disability becomes  
119.15 21 years old but shall not extend beyond secondary school or its equivalent, except as  
119.16 provided in section 124D.68, subdivision 2. Local health, education, and social service  
119.17 agencies must refer children under age five who are known to need or suspected of  
119.18 needing special instruction and services to the school district. Districts with less than the  
119.19 minimum number of eligible children with a disability as determined by the commissioner  
119.20 must cooperate with other districts to maintain a full range of programs for education  
119.21 and services for children with a disability. This section does not alter the compulsory  
119.22 attendance requirements of section 120A.22.

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

119.24 **125A.08 INDIVIDUALIZED EDUCATION PROGRAMS; DATA**  
119.25 **REPORTING REQUIREMENTS.**

119.26 Subdivision 1. Requirements for individualized education programs. (a) At the  
119.27 beginning of each school year, each school district shall have in effect, for each child with  
119.28 a disability, an individualized education program.

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

119.30 (1) all students with disabilities are provided the special instruction and services  
119.31 which are appropriate to their needs. Where the individualized education program team  
119.32 has determined appropriate goals and objectives based on the student's needs, including  
119.33 the extent to which the student can be included in the least restrictive environment,  
119.34 and where there are essentially equivalent and effective instruction, related services, or  
119.35 assistive technology devices available to meet the student's needs, cost to the district may

120.1 be among the factors considered by the team in choosing how to provide the appropriate  
120.2 services, instruction, or devices that are to be made part of the student's individualized  
120.3 education program. The individualized education program team shall consider and  
120.4 may authorize services covered by medical assistance according to section 256B.0625,  
120.5 subdivision 26. The student's needs and the special education instruction and services to  
120.6 be provided must be agreed upon through the development of an individualized education  
120.7 program. The program must address the student's need to develop skills to live and work  
120.8 as independently as possible within the community. The individualized education program  
120.9 team must consider positive behavioral interventions, strategies, and supports that address  
120.10 behavior for children with attention deficit disorder or attention deficit hyperactivity  
120.11 disorder. During grade 9, the program must address the student's needs for transition from  
120.12 secondary services to postsecondary education and training, employment, community  
120.13 participation, recreation, and leisure and home living. In developing the program, districts  
120.14 must inform parents of the full range of transitional goals and related services that should  
120.15 be considered. The program must include a statement of the needed transition services,  
120.16 including a statement of the interagency responsibilities or linkages or both before  
120.17 secondary services are concluded;

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

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

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

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

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

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

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

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

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

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

121.16 Subd. 2. Online reporting of required data. (a) To ensure a strong focus  
121.17 on outcomes for children with disabilities informs federal and state compliance and  
121.18 accountability requirements and to increase opportunities for special educators and  
121.19 related-services providers to focus on teaching children with disabilities, the commissioner  
121.20 must integrate, customize, and sustain a streamlined, user-friendly statewide online system,  
121.21 with a single, integrated model online form, for effectively and efficiently collecting  
121.22 and reporting required special education-related data to individuals with a legitimate  
121.23 educational interest and who are authorized by law to access the data. Among other  
121.24 data-related requirements, the online system must successfully interface with existing state  
121.25 reporting systems such as MARSS and Child Count and with districts' local data systems.

121.26 (b) The commissioner must consult with qualified experts, including information  
121.27 technology specialists, licensed special education teachers and directors of special  
121.28 education, related-services providers, third-party vendors, a designee of the commissioner  
121.29 of human services, parents of children with disabilities, representatives of advocacy groups  
121.30 representing children with disabilities, and representatives of school districts and special  
121.31 education cooperatives on integrating, field testing, customizing, and sustaining this simple,  
121.32 easily accessible, efficient, and effective online data system for uniform statewide reporting  
121.33 of required due process compliance data. Among other outcomes, the system must:

121.34 (1) reduce special education teachers' paperwork burden and thereby increase the  
121.35 teachers' opportunities to focus on teaching children;

122.1 (2) to the extent authorized by chapter 13 or other applicable state or federal law  
122.2 governing access to and dissemination of educational records, provide for efficiently and  
122.3 effectively transmitting the records of all transferring children with disabilities, including  
122.4 highly mobile and homeless children with disabilities, among others, to give an enrolling  
122.5 school, school district, facility, or other institution immediate access to information about  
122.6 the transferring child and to avoid fragmented service delivery;

122.7 (3) address language and other barriers and disparities that prevent parents from  
122.8 understanding and communicating information about the needs of their children with  
122.9 disabilities;

122.10 (4) facilitate school districts' ability to bill medical assistance, MinnesotaCare,  
122.11 and other third-party payers for the costs of providing individualized education program  
122.12 health-related services to an eligible child with disabilities;

122.13 (5) help continuously improve the interface among the online systems serving  
122.14 children with disabilities in order to maintain and reinforce the children's ability to learn;  
122.15 and

122.16 (6) have readily accessible expert technical assistance to maintain, sustain, and  
122.17 improve the online system.

122.18 (c) The commissioner must use the federal Office of Special Education Programs  
122.19 model forms for the (1) individualized education program, (2) notice of procedural  
122.20 safeguards, and (3) prior written notice that are consistent with Part B of IDEA to integrate  
122.21 and customize a state-sponsored universal special education online case management  
122.22 system, consistent with the requirements of state law and this subdivision for integrating,  
122.23 customizing, and sustaining a statewide online reporting system. The commissioner must  
122.24 use a request for proposal process to contract for the technology and software needed  
122.25 for integrating and customizing the online system in order for the system to be fully  
122.26 functional, consistent with the requirements of this subdivision. This online system must  
122.27 be made available to school districts without charge beginning in the 2015-2016 school  
122.28 year. All actions in which data in the system are entered, updated, accessed, or shared or  
122.29 disseminated outside of the system, must be recorded in a data audit trail. The audit trail  
122.30 must identify the user responsible for the action, and the date and time the action occurred.  
122.31 Data contained in the audit trail maintain the same classification as the underlying data  
122.32 that was affected by the action, and may be accessed by the responsible authority at any  
122.33 time for purposes of auditing the system's user activity and security safeguards. For the  
122.34 2015-2016 through 2017-2018 school years, school districts may use this online system or  
122.35 may contract with an outside vendor for compliance reporting. Beginning in the 2018-2019  
122.36 school year and later, school districts must use this online system for compliance reporting.

123.1 (d) Consistent with this subdivision, the commissioner must establish a public  
123.2 Internet Web interface to provide information to educators, parents, and the public about  
123.3 the form and content of required special education reports, to respond to queries from  
123.4 educators, parents, and the public about specific aspects of special education reports and  
123.5 reporting, and to use the information garnered from the interface to streamline and revise  
123.6 special education reporting on the online system under this subdivision. The public Internet  
123.7 Web interface must not provide access to the educational records of any individual child.

123.8 (e) The commissioner annually by February 1 must submit to the legislature a report  
123.9 on the status, recent changes, and sustainability of the online system under this subdivision.

123.10 Sec. 8. Minnesota Statutes 2013 Supplement, section 125A.0942, is amended to read:

123.11 **125A.0942 STANDARDS FOR RESTRICTIVE PROCEDURES.**

123.12 Subdivision 1. **Restrictive procedures plan.** (a) Schools that intend to use  
123.13 restrictive procedures shall maintain and make publicly accessible in an electronic format  
123.14 on a school or district Web site or make a paper copy available upon request describing a  
123.15 restrictive procedures plan for children with disabilities that at least:

123.16 (1) lists the restrictive procedures the school intends to use;

123.17 (2) describes how the school will implement a range of positive behavior strategies  
123.18 and provide links to mental health services;

123.19 (3) describes how the school will provide training on de-escalation techniques,  
123.20 consistent with section 122A.09, subdivision 4, paragraph (k);

123.21 (4) describes how the school will monitor and review the use of restrictive  
123.22 procedures, including:

123.23 (i) conducting post-use debriefings, consistent with subdivision 3, paragraph (a),  
123.24 clause (5); and

123.25 (ii) convening an oversight committee to undertake a quarterly review of the use  
123.26 of restrictive procedures based on patterns or problems indicated by similarities in the  
123.27 time of day, day of the week, duration of the use of a procedure, the individuals involved,  
123.28 or other factors associated with the use of restrictive procedures; the number of times a  
123.29 restrictive procedure is used schoolwide and for individual children; the number and types  
123.30 of injuries, if any, resulting from the use of restrictive procedures; whether restrictive  
123.31 procedures are used in nonemergency situations; the need for additional staff training; and  
123.32 proposed actions to minimize the use of restrictive procedures; and

123.33 ~~(4)~~ (5) includes a written description and documentation of the training staff  
123.34 completed under subdivision 5.

124.1 (b) Schools annually must publicly identify oversight committee members who  
124.2 must at least include:

124.3 (1) a mental health professional, school psychologist, or school social worker;

124.4 (2) an expert in positive behavior strategies;

124.5 (3) a special education administrator; and

124.6 (4) a general education administrator.

124.7 Subd. 2. **Restrictive procedures.** (a) Restrictive procedures may be used only  
124.8 by a licensed special education teacher, school social worker, school psychologist,  
124.9 behavior analyst certified by the National Behavior Analyst Certification Board, a person  
124.10 with a master's degree in behavior analysis, other licensed education professional,  
124.11 paraprofessional under section 120B.363, or mental health professional under section  
124.12 245.4871, subdivision 27, who has completed the training program under subdivision 5.

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

124.17 (c) The district must hold a meeting of the individualized education program team,  
124.18 conduct or review a functional behavioral analysis, review data, consider developing  
124.19 additional or revised positive behavioral interventions and supports, consider actions to  
124.20 reduce the use of restrictive procedures, and modify the individualized education program  
124.21 or behavior intervention plan as appropriate. The district must hold the meeting: within  
124.22 ten calendar days after district staff use restrictive procedures on two separate school  
124.23 days within 30 calendar days or a pattern of use emerges and the child's individualized  
124.24 education program or behavior intervention plan does not provide for using restrictive  
124.25 procedures in an emergency; or at the request of a parent or the district after restrictive  
124.26 procedures are used. The district must review use of restrictive procedures at a child's  
124.27 annual individualized education program meeting when the child's individualized  
124.28 education program provides for using restrictive procedures in an emergency.

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

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

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

125.12 Subd. 3. **Physical holding or seclusion.** (a) Physical holding or seclusion may be  
125.13 used only in an emergency. A school that uses physical holding or seclusion shall meet the  
125.14 following requirements:

125.15 (1) physical holding or seclusion is the least intrusive intervention that effectively  
125.16 responds to the emergency;

125.17 (2) physical holding or seclusion is not used to discipline a noncompliant child;

125.18 (3) physical holding or seclusion ends when the threat of harm ends and the staff  
125.19 determines the child can safely return to the classroom or activity;

125.20 (4) staff directly observes the child while physical holding or seclusion is being used;

125.21 (5) each time physical holding or seclusion is used, the staff person who implements  
125.22 or oversees the physical holding or seclusion documents, as soon as possible after the  
125.23 incident concludes, the following information:

125.24 (i) a description of the incident that led to the physical holding or seclusion;

125.25 (ii) why a less restrictive measure failed or was determined by staff to be  
125.26 inappropriate or impractical;

125.27 (iii) the time the physical holding or seclusion began and the time the child was  
125.28 released; and

125.29 (iv) a brief record of the child's behavioral and physical status;

125.30 (6) the room used for seclusion must:

125.31 (i) be at least six feet by five feet;

125.32 (ii) be well lit, well ventilated, adequately heated, and clean;

125.33 (iii) have a window that allows staff to directly observe a child in seclusion;

125.34 (iv) have tamperproof fixtures, electrical switches located immediately outside the  
125.35 door, and secure ceilings;

- 126.1 (v) have doors that open out and are unlocked, locked with keyless locks that  
126.2 have immediate release mechanisms, or locked with locks that have immediate release  
126.3 mechanisms connected with a fire and emergency system; and
- 126.4 (vi) not contain objects that a child may use to injure the child or others;
- 126.5 (7) before using a room for seclusion, a school must:
- 126.6 (i) receive written notice from local authorities that the room and the locking  
126.7 mechanisms comply with applicable building, fire, and safety codes; and
- 126.8 (ii) register the room with the commissioner, who may view that room; and
- 126.9 (8) until August 1, 2015, a school district may use prone restraints with children  
126.10 age five or older if:
- 126.11 (i) the district has provided to the department a list of staff who have had specific  
126.12 training on the use of prone restraints;
- 126.13 (ii) the district provides information on the type of training that was provided and  
126.14 by whom;
- 126.15 (iii) only staff who received specific training use prone restraints;
- 126.16 (iv) each incident of the use of prone restraints is reported to the department within  
126.17 five working days on a form provided by the department; and
- 126.18 (v) the district, before using prone restraints, must review any known medical or  
126.19 psychological limitations that contraindicate the use of prone restraints.
- 126.20 The department must collect data on districts' use of prone restraints and publish the data  
126.21 in a readily accessible format on the department's Web site on a quarterly basis.
- 126.22 (b) By ~~March 1, 2014~~ February 1, 2015, and annually thereafter, stakeholders must  
126.23 recommend to the commissioner specific and measurable implementation and outcome  
126.24 goals for reducing the use of restrictive procedures and the commissioner must submit to  
126.25 the legislature a report on districts' progress in reducing the use of restrictive procedures  
126.26 that recommends how to further reduce these procedures and eliminate the use of prone  
126.27 restraints. The statewide plan includes the following components: measurable goals; the  
126.28 resources, training, technical assistance, mental health services, and collaborative efforts  
126.29 needed to significantly reduce districts' use of prone restraints; and recommendations  
126.30 to clarify and improve the law governing districts' use of restrictive procedures. The  
126.31 commissioner must consult with interested stakeholders when preparing the report,  
126.32 including representatives of advocacy organizations, special education directors, teachers,  
126.33 paraprofessionals, intermediate school districts, school boards, day treatment providers,  
126.34 county social services, state human services department staff, mental health professionals,  
126.35 and autism experts. By June 30 each year, districts must report summary data on their  
126.36 use of restrictive procedures to the department, in a form and manner determined by the

127.1 commissioner. The summary data must include information about the use of restrictive  
127.2 procedures, including use of reasonable force under section 121A.582.

127.3 Subd. 4. **Prohibitions.** The following actions or procedures are prohibited:

127.4 (1) engaging in conduct prohibited under section 121A.58;

127.5 (2) requiring a child to assume and maintain a specified physical position, activity,  
127.6 or posture that induces physical pain;

127.7 (3) totally or partially restricting a child's senses as punishment;

127.8 (4) presenting an intense sound, light, or other sensory stimuli using smell, taste,  
127.9 substance, or spray as punishment;

127.10 (5) denying or restricting a child's access to equipment and devices such as walkers,  
127.11 wheelchairs, hearing aids, and communication boards that facilitate the child's functioning,  
127.12 except when temporarily removing the equipment or device is needed to prevent injury  
127.13 to the child or others or serious damage to the equipment or device, in which case the  
127.14 equipment or device shall be returned to the child as soon as possible;

127.15 (6) interacting with a child in a manner that constitutes sexual abuse, neglect, or  
127.16 physical abuse under section 626.556;

127.17 (7) withholding regularly scheduled meals or water;

127.18 (8) denying access to bathroom facilities; and

127.19 (9) physical holding that restricts or impairs a child's ability to breathe, restricts or  
127.20 impairs a child's ability to communicate distress, places pressure or weight on a child's  
127.21 head, throat, neck, chest, lungs, sternum, diaphragm, back, or abdomen, or results in  
127.22 straddling a child's torso.

127.23 Subd. 5. **Training for staff.** (a) To meet the requirements of subdivision 1, staff  
127.24 who use restrictive procedures, including paraprofessionals, shall complete training in  
127.25 the following skills and knowledge areas:

127.26 (1) positive behavioral interventions;

127.27 (2) communicative intent of behaviors;

127.28 (3) relationship building;

127.29 (4) alternatives to restrictive procedures, including techniques to identify events and  
127.30 environmental factors that may escalate behavior;

127.31 (5) de-escalation methods;

127.32 (6) standards for using restrictive procedures only in an emergency;

127.33 (7) obtaining emergency medical assistance;

127.34 (8) the physiological and psychological impact of physical holding and seclusion;

127.35 (9) monitoring and responding to a child's physical signs of distress when physical  
127.36 holding is being used;

128.1 (10) recognizing the symptoms of and interventions that may cause positional  
128.2 asphyxia when physical holding is used;

128.3 (11) district policies and procedures for timely reporting and documenting each  
128.4 incident involving use of a restricted procedure; and

128.5 (12) schoolwide programs on positive behavior strategies.

128.6 (b) The commissioner, after consulting with the commissioner of human services,  
128.7 must develop and maintain a list of training programs that satisfy the requirements of  
128.8 paragraph (a). The commissioner also must develop and maintain a list of experts to  
128.9 help individualized education program teams reduce the use of restrictive procedures.  
128.10 The district shall maintain records of staff who have been trained and the organization  
128.11 or professional that conducted the training. The district may collaborate with children's  
128.12 community mental health providers to coordinate trainings.

128.13 **Subd. 6. Behavior supports.** School districts are encouraged to establish effective  
128.14 schoolwide systems of positive behavior interventions and supports. ~~Nothing in this~~  
128.15 ~~section or section 125A.0941 precludes the use of reasonable force under sections~~  
128.16 ~~121A.582; 609.06, subdivision 1; and 609.379.~~

128.17 **Subd. 7. Reasonable force.** Nothing in this section or section 125A.0941 precludes  
128.18 the use of reasonable force under sections 121A.582; 609.06, subdivision 1; and 609.379.  
128.19 For the 2014-2015 school year and later, districts must collect and submit to the  
128.20 commissioner summary data, consistent with subdivision 3, paragraph (b), on district use  
128.21 of reasonable force that is consistent with the definition of physical holding or seclusion  
128.22 for a child with a disability under this section.

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

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

128.25 **125A.22 COMMUNITY TRANSITION INTERAGENCY COMMITTEE.**

128.26 A district, group of districts, or special education cooperative, in cooperation with  
128.27 the county or counties in which the district or cooperative is located, ~~must~~ may establish  
128.28 a community transition interagency committee for youth with disabilities, beginning at  
128.29 grade 9 or age equivalent, and their families. Members of the committee ~~must consist of~~  
128.30 may include representatives from special education, vocational and regular education,  
128.31 community education, postsecondary education and training institutions, mental health,  
128.32 adults with disabilities who have received transition services if such persons are available,  
128.33 parents of youth with disabilities, local business or industry, rehabilitation services, county  
128.34 social services, health agencies, and additional public or private adult service providers as

129.1 appropriate. ~~The committee must elect a chair and must meet regularly.~~ The committee  
 129.2 ~~must~~ may:

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

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

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

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

129.13 (5) exchange agency information such as appropriate data, effectiveness studies,  
 129.14 special projects, exemplary programs, and creative funding of programs; and

129.15 ~~(6) following procedures determined by the commissioner, prepare a yearly summary~~  
 129.16 ~~assessing the progress of transition services in the community including follow-up of~~  
 129.17 ~~individuals with disabilities who were provided transition services to determine postschool~~  
 129.18 ~~outcomes. The summary must be disseminated to all adult services agencies involved in~~  
 129.19 ~~the planning and to the commissioner by October 1 of each year.~~

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

129.21 **125A.30 INTERAGENCY EARLY INTERVENTION COMMITTEES.**

129.22 (a) A ~~school district~~, group of school districts; or special education ~~cooperative~~  
 129.23 cooperatives, in cooperation with the health and human service agencies located in  
 129.24 the county or counties in which the ~~district~~ districts or ~~cooperative~~ cooperatives are  
 129.25 located, must establish an Interagency Early Intervention Committee for children with  
 129.26 disabilities under age five and their families under this section, and for children with  
 129.27 disabilities ages three to 22 consistent with the requirements under sections 125A.023  
 129.28 and 125A.027. Committees must include representatives of local health, education, and  
 129.29 county human service agencies, ~~county boards~~, ~~school boards~~, early childhood family  
 129.30 education programs, Head Start, parents of young children with disabilities under age 12,  
 129.31 child care resource and referral agencies, school readiness programs, current service  
 129.32 providers, and agencies that serve families experiencing homelessness, and may also  
 129.33 include representatives from other private or public agencies and school nurses. The  
 129.34 committee must elect a chair from among its members and must meet at least quarterly.

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

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

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

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

130.16 ~~(4) assure the development of individualized family service plans for all eligible~~  
130.17 ~~infants and toddlers with disabilities from birth through age two, and their families,~~  
130.18 ~~and individualized education programs and individual service plans when necessary to~~  
130.19 ~~appropriately serve children with disabilities, age three and older, and their families and~~  
130.20 ~~recommend assignment of financial responsibilities to the appropriate agencies;~~

130.21 ~~(5)~~ (3) implement a process for assuring that services involve cooperating agencies  
130.22 at all steps leading to individualized programs;

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

130.25 ~~(7)~~ (4) identify the current services and funding being provided within the  
130.26 community for children with disabilities under age five and their families; and

130.27 ~~(8)~~ (5) develop a plan for the allocation and expenditure of federal early intervention  
130.28 funds under United States Code, title 20, section 1471 et seq. (Part C, Public Law 108-446)  
130.29 and United States Code, title 20, section 631, et seq. (Chapter I, Public Law 89-313); and

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

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

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

131.2 **127A.065 CROSS-SUBSIDY REPORT.**

131.3 By ~~January 10~~ March 30, the commissioner of education shall submit an annual  
131.4 report to the legislative committees having jurisdiction over kindergarten through grade  
131.5 12 education on the amount each district is cross-subsidizing special education costs  
131.6 with general education revenue.

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

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

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

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

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

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

131.16 (4) a statement regarding the child's eligibility for membership or enrollment in an  
131.17 Indian tribe and the agency's compliance with applicable provisions of sections 260.751 to  
131.18 260.835;

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

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

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

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

131.27 (b) In the case of a child in placement due to emotional disturbance, the written  
131.28 report shall include as an attachment, the child's individual treatment plan developed by  
131.29 the child's treatment professional, as provided in section 245.4871, subdivision 21, or the  
131.30 child's ~~individual interagency intervention~~ standard written plan, as provided in section  
131.31 125A.023, subdivision 3, paragraph ~~(e)~~ (e).

131.32 (c) In the case of a child in placement due to developmental disability or a related  
131.33 condition, the written report shall include as an attachment, the child's individual service  
131.34 plan, as provided in section 256B.092, subdivision 1b; the child's individual program plan,  
131.35 as provided in Minnesota Rules, part 9525.0004, subpart 11; the child's waiver care plan;

132.1 or the child's ~~individual interagency intervention~~ standard written plan, as provided in  
132.2 section 125A.023, subdivision 3, paragraph ~~(e)~~ (e).

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

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

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

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

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

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

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

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

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

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

132.33 (g) If the court finds the voluntary foster care arrangement is in the child's best  
132.34 interests and that the agency and parent are appropriately planning for the child, the  
132.35 court shall issue an order containing explicit, individualized findings to support its  
132.36 determination. The individualized findings shall be based on the agency's written report

133.1 and other materials submitted to the court. The court may make this determination  
133.2 notwithstanding the child's disagreement, if any, reported under paragraph (d).

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

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

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

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

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

133.18 (a) "Family assessment" means a comprehensive assessment of child safety, risk  
133.19 of subsequent child maltreatment, and family strengths and needs that is applied to a  
133.20 child maltreatment report that does not allege substantial child endangerment. Family  
133.21 assessment does not include a determination as to whether child maltreatment occurred  
133.22 but does determine the need for services to address the safety of family members and the  
133.23 risk of subsequent maltreatment.

133.24 (b) "Investigation" means fact gathering related to the current safety of a child  
133.25 and the risk of subsequent maltreatment that determines whether child maltreatment  
133.26 occurred and whether child protective services are needed. An investigation must be used  
133.27 when reports involve substantial child endangerment, and for reports of maltreatment in  
133.28 facilities required to be licensed under chapter 245A or 245B; under sections 144.50 to  
133.29 144.58 and 241.021; in a school as defined in sections 120A.05, subdivisions 9, 11, and  
133.30 13, and 124D.10; or in a nonlicensed personal care provider association as defined in  
133.31 sections 256B.04, subdivision 16, and 256B.0625, subdivision 19a.

133.32 (c) "Substantial child endangerment" means a person responsible for a child's care,  
133.33 and in the case of sexual abuse includes a person who has a significant relationship to the  
133.34 child as defined in section 609.341, or a person in a position of authority as defined in

134.1 section 609.341, who by act or omission commits or attempts to commit an act against a  
134.2 child under their care that constitutes any of the following:

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

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

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

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

134.9 (5) murder in the first, second, or third degree under section 609.185, 609.19, or  
134.10 609.195;

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

134.12 (7) assault in the first, second, or third degree under section 609.221, 609.222, or  
134.13 609.223;

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

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

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

134.17 (11) malicious punishment or neglect or endangerment of a child under section  
134.18 609.377 or 609.378;

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

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

134.22 (d) "Sexual abuse" means the subjection of a child by a person responsible for the  
134.23 child's care, by a person who has a significant relationship to the child, as defined in  
134.24 section 609.341, or by a person in a position of authority, as defined in section 609.341,  
134.25 subdivision 10, to any act which constitutes a violation of section 609.342 (criminal sexual  
134.26 conduct in the first degree), 609.343 (criminal sexual conduct in the second degree),  
134.27 609.344 (criminal sexual conduct in the third degree), 609.345 (criminal sexual conduct  
134.28 in the fourth degree), or 609.3451 (criminal sexual conduct in the fifth degree). Sexual  
134.29 abuse also includes any act which involves a minor which constitutes a violation of  
134.30 prostitution offenses under sections 609.321 to 609.324 or 617.246. Sexual abuse includes  
134.31 threatened sexual abuse which includes the status of a parent or household member  
134.32 who has committed a violation which requires registration as an offender under section  
134.33 243.166, subdivision 1b, paragraph (a) or (b), or required registration under section  
134.34 243.166, subdivision 1b, paragraph (a) or (b).

134.35 (e) "Person responsible for the child's care" means (1) an individual functioning  
134.36 within the family unit and having responsibilities for the care of the child such as a

135.1 parent, guardian, or other person having similar care responsibilities, or (2) an individual  
135.2 functioning outside the family unit and having responsibilities for the care of the child  
135.3 such as a teacher, school administrator, other school employees or agents, or other lawful  
135.4 custodian of a child having either full-time or short-term care responsibilities including,  
135.5 but not limited to, day care, babysitting whether paid or unpaid, counseling, teaching,  
135.6 and coaching.

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

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

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

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

135.20 (4) failure to ensure that the child is educated as defined in sections 120A.22 and  
135.21 260C.163, subdivision 11, which does not include a parent's refusal to provide the parent's  
135.22 child with sympathomimetic medications, consistent with section 125A.091, subdivision 5;

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

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

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

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

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

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

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

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

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

136.23 (3) shaking a child under age three;

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

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

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

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

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

136.35 (9) unreasonable physical confinement or restraint not permitted under section  
136.36 609.379, including but not limited to tying, caging, or chaining; or

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

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

137.6 (i) "Facility" means:

137.7 (1) a licensed or unlicensed day care facility, residential facility, agency, hospital,  
137.8 sanitarium, or other facility or institution required to be licensed under sections 144.50 to  
137.9 144.58, 241.021, or 245A.01 to 245A.16, or chapter 245D;

137.10 (2) a school as defined in sections 120A.05, subdivisions 9, 11, and 13; and  
137.11 124D.10; or

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

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

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

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

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

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

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

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

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

137.34 (4) committed an act that has resulted in the involuntary transfer of permanent  
137.35 legal and physical custody of a child to a relative under Minnesota Statutes 2010, section

138.1 260C.201, subdivision 11, paragraph (d), clause (1), section 260C.515, subdivision 4, or a  
138.2 similar law of another jurisdiction.

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

138.6 (o) Upon receiving data under section 144.225, subdivision 2b, contained in a  
138.7 birth record or recognition of parentage identifying a child who is subject to threatened  
138.8 injury under paragraph (n), the Department of Human Services shall send the data to the  
138.9 responsible social services agency. The data is known as "birth match" data. Unless the  
138.10 responsible social services agency has already begun an investigation or assessment of the  
138.11 report due to the birth of the child or execution of the recognition of parentage and the  
138.12 parent's previous history with child protection, the agency shall accept the birth match  
138.13 data as a report under this section. The agency may use either a family assessment or  
138.14 investigation to determine whether the child is safe. All of the provisions of this section  
138.15 apply. If the child is determined to be safe, the agency shall consult with the county  
138.16 attorney to determine the appropriateness of filing a petition alleging the child is in need  
138.17 of protection or services under section 260C.007, subdivision 6, clause (16), in order to  
138.18 deliver needed services. If the child is determined not to be safe, the agency and the county  
138.19 attorney shall take appropriate action as required under section 260C.503, subdivision 2.

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

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

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

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

138.31 (r) "Nonmaltreatment mistake" means:

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

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

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

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

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

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

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

139.14 Sec. 14. Laws 2013, chapter 116, article 5, section 31, subdivision 8, is amended to read:

139.15 Subd. 8. **Special education paperwork cost savings.** For the contract to effect  
 139.16 special education paperwork cost savings under Minnesota Statutes, section 125A.08,  
 139.17 subdivision 2, paragraph (c):

139.18 \$ 1,763,000 ..... 2014

139.19 For a transfer to MNIT. This appropriation is available in fiscal year 2015 ~~if not~~  
 139.20 ~~expended.~~

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

139.22 Sec. 15. **RULEMAKING AUTHORITY; SPECIAL EDUCATION TASK FORCE**  
 139.23 **RECOMMENDATIONS.**

139.24 The commissioner of education must use the expedited rulemaking process under  
 139.25 Minnesota Statutes, section 14.389, including subdivision 5, to make the specific rule  
 139.26 changes recommended by the Special Education Case Load and Rule Alignment Task  
 139.27 Force in its 2014 report entitled "Recommendations for Special Education Case Load and  
 139.28 Rule Alignment" submitted to the legislature on February 15, 2014.

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

139.30 Sec. 16. **REPEALER.**

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

140.1

**ARTICLE 5**

140.2

**NUTRITION**

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

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

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

140.11 (c) Revenues and expenditures for food service activities must be recorded in the  
140.12 food service fund. The costs of processing applications, accounting for meals, preparing  
140.13 and serving food, providing kitchen custodial services, and other expenses involving the  
140.14 preparing of meals or the kitchen section of the lunchroom may be charged to the food  
140.15 service fund or to the general fund of the district. The costs of lunchroom supervision,  
140.16 lunchroom custodial services, lunchroom utilities, and other administrative costs of the  
140.17 food service program must be charged to the general fund.

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

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

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

140.31 (f) If a deficit in the food service fund exists at the end of a fiscal year, and the deficit  
140.32 is not eliminated by revenues from food service operations in the next fiscal year, then the  
140.33 deficit must be eliminated by a permanent fund transfer from the general fund at the end of  
140.34 that second fiscal year. However, if a district contracts with a food service management

141.1 company during the period in which the deficit has accrued, the deficit must be eliminated  
 141.2 by a payment from the food service management company.

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

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

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

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

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

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

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

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

141.22 **ARTICLE 6**

141.23 **EARLY CHILDHOOD EDUCATION, SELF-SUFFICIENCY, AND**  
 141.24 **LIFELONG LEARNING**

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

141.26 Subd. 2. **People to be served.** A state-approved alternative program shall provide  
 141.27 programs for secondary pupils ~~and adults~~. A center may also provide programs and  
 141.28 services for elementary and secondary pupils who are not attending the state-approved  
 141.29 alternative program to assist them in being successful in school. A center shall use  
 141.30 research-based best practices for serving English learners and their parents. An  
 141.31 individualized education program team may identify a state-approved alternative program  
 141.32 as an appropriate placement to the extent a state-approved alternative program can provide  
 141.33 the student with the appropriate special education services described in the student's plan.  
 141.34 Pupils eligible to be served are those who qualify under the graduation incentives program

142.1 in section 124D.68, subdivision 2, those enrolled under section 124D.02, subdivision  
142.2 2, or those pupils who are eligible to receive special education services under sections  
142.3 125A.03 to 125A.24, and 125A.65.

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

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

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

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

142.19 (b) Notwithstanding the other provisions of this section, a parent under age 21 who  
142.20 is pursuing a high school or general education equivalency diploma is eligible for an early  
142.21 learning scholarship if the parent has a child age zero to five years old and meets the  
142.22 income eligibility guidelines in this subdivision.

142.23 (c) Any siblings between the ages zero to five years old of a child who has been  
142.24 awarded a scholarship under this section must be awarded a scholarship upon request,  
142.25 provided the sibling attends the same program.

142.26 (d) A child who has received a scholarship under this section must continue to receive  
142.27 a scholarship each year until that child is eligible for kindergarten under section 120A.20.

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

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

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

143.3 (1) participate in the quality rating and improvement system under section  
 143.4 124D.142; and

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

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

## 143.9 ARTICLE 7

### 143.10 LIBRARIES

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

143.12 Subd. 8. **Eligibility.** A regional public library system may apply for regional library  
 143.13 telecommunications aid. The aid must be used for data and video access maintenance,  
 143.14 equipment, or installation of telecommunication lines. To be eligible, a regional public  
 143.15 library system must be officially designated by the commissioner of education as a  
 143.16 regional public library system as defined in section 134.34, subdivision 3, and each of its  
 143.17 participating cities and counties must meet local support levels defined in section 134.34,  
 143.18 subdivision 1. A public library building that receives aid under this section must be open a  
 143.19 minimum of 20 hours per week. Exceptions to the minimum open hours requirement may  
 143.20 be granted by the Department of Education on request of the regional public library system  
 143.21 for the following circumstances: short-term closing for emergency maintenance and  
 143.22 repairs following a natural disaster; in response to exceptional economic circumstances;  
 143.23 building repair or maintenance that requires public services areas to be closed; or to adjust  
 143.24 hours of public service to respond to documented seasonal use patterns.

143.25 Sec. 2. **CONSULTATION; LIBRARIES AND SERVICE DELIVERY.**

143.26 The commissioner of education must consult with people knowledgeable about  
 143.27 state libraries and service delivery, including representatives of the Department of  
 143.28 Education, regional public library systems, multicounty multitype library systems, public  
 143.29 libraries located in the metropolitan area and greater Minnesota other than regional public  
 143.30 library systems, Minitex, public school library media specialists, the Office of Higher  
 143.31 Education, the Association of Minnesota Counties, and the League of Minnesota Cities  
 143.32 on increasing service delivery and collaboration between library governance systems,  
 143.33 options for changing current library procedures and library governance systems to  
 143.34 increase collaboration between library systems, and ensuring equitable and cost-effective

144.1 access to library services statewide. In addition to addressing physical library services,  
144.2 the commissioner also must consider how to increase access to emerging electronic  
144.3 services. The commissioner must report by February 1, 2015, to the education policy  
144.4 and finance committees of the legislature on how to structure library systems to ensure  
144.5 that all Minnesota residents have equitable and cost-effective access to state-supported  
144.6 library services.

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

144.8

## ARTICLE 8

144.9

### UNSESSION CHANGES

144.10 Section 1. Minnesota Statutes 2012, section 121A.36, is amended to read:

144.11 **121A.36 MOTORCYCLE SAFETY EDUCATION PROGRAM.**

144.12 Subdivision 1. **Established; administration; rules.** A motorcycle safety education  
144.13 program is established. The program shall be administered by the commissioners of  
144.14 public safety ~~and education~~. The program shall include but is not limited to training and  
144.15 coordination of motorcycle safety instructors, motorcycle safety promotion and public  
144.16 information, and reimbursement for the cost of approved courses offered by schools  
144.17 and organizations.

144.18 Subd. 2. **Reimbursements.** The commissioner of ~~education~~ public safety, to the  
144.19 extent that funds are available, may reimburse schools and other approved organizations  
144.20 offering approved motorcycle safety education courses for up to 50 percent of the actual  
144.21 cost of the courses. If sufficient funds are not available, reimbursements shall be prorated.  
144.22 The commissioner may conduct audits and otherwise examine the records and accounts of  
144.23 schools and approved organizations offering the courses to insure the accuracy of the costs.

144.24 Subd. 3. **Appropriation.** (a) All funds in the motorcycle safety fund created by  
144.25 section 171.06, subdivision 2a, are hereby annually appropriated to the commissioner of  
144.26 public safety to carry out the purposes of subdivisions 1 and 2. ~~The commissioner of~~  
144.27 ~~public safety may make grants from the fund to the commissioner of education at such~~  
144.28 ~~times and in such amounts as the commissioner deems necessary to carry out the purposes~~  
144.29 ~~of subdivisions 1 and 2.~~

144.30 (b) Of the money appropriated under paragraph (a):

144.31 (1) not more than five percent shall be expended to defray the administrative costs  
144.32 of carrying out the purposes of subdivisions 1 and 2; and

145.1 (2) not more than 65 percent shall be expended for the combined purpose of  
145.2 training and coordinating the activities of motorcycle safety instructors and making  
145.3 reimbursements to schools and other approved organizations.

145.4 Sec. 2. Minnesota Statutes 2012, section 124D.141, subdivision 3, is amended to read:

145.5 Subd. 3. **Administration.** ~~An amount up to \$12,500 from federal child care and~~  
145.6 ~~development fund administrative funds and up to \$12,500 from prekindergarten exploratory~~  
145.7 ~~project funds appropriated under Laws 2007, chapter 147, article 19, section 3, may be~~  
145.8 ~~used to reimburse the parents on the council and for technical assistance and administrative~~  
145.9 ~~support of the State Advisory Council on Early Childhood Education and Care. This~~  
145.10 ~~funding stream is for fiscal year 2009. The council may pursue additional funds from state,~~  
145.11 ~~federal, and private sources. If additional operational funds are received, the council must~~  
145.12 ~~reduce the amount of prekindergarten exploratory project funds used in an equal amount.~~

145.13 Sec. 3. **REVISOR'S INSTRUCTION.**

145.14 The revisor of statutes shall renumber Minnesota Statutes, section 121A.36, as  
145.15 section 171.335. The revisor of statutes shall also make cross-reference changes in  
145.16 Minnesota Statutes and Minnesota Rules consistent with the renumbering.

145.17 Sec. 4. **REPEALER.**

145.18 Minnesota Statutes 2012, sections 119A.04, subdivision 3; 119A.08; 120A.30;  
145.19 120B.19; 120B.24; 121A.17, subdivision 9; 122A.52; 122A.53; 122A.61, subdivision 2;  
145.20 124D.24; 124D.25; 124D.26; 124D.27; 124D.28; 124D.29; 124D.30; and 124D.31, are  
145.21 repealed.

## 145.22 ARTICLE 9

### 145.23 CONFORMING CHANGES

145.24 Section 1. Minnesota Statutes 2012, section 120A.22, subdivision 2, is amended to read:

145.25 Subd. 2. **Applicability.** This section and sections 120A.24; 120A.26; ~~120A.30;~~  
145.26 120A.32; and 120A.34 apply only to a child required to receive instruction according to  
145.27 subdivision 5 and to instruction that is intended to fulfill that requirement.

145.28 Sec. 2. Minnesota Statutes 2012, section 120A.32, is amended to read:

145.29 **120A.32 OFFICERS, TEACHERS; NEGLECT OF DUTY; PENALTY.**

146.1 Any school officer, truant officer, public or nonpublic school teacher, principal,  
146.2 district superintendent, or person providing instruction other than a parent refusing,  
146.3 willfully failing, or neglecting to perform any duty imposed by sections 120A.22 to  
146.4 ~~120A.30~~, 120A.26, 120A.35, 120A.41, and 123B.03 is guilty of a misdemeanor. All  
146.5 persons found guilty shall be punished for each offense by a fine of not more than \$10 or  
146.6 by imprisonment for not more than ten days. All fines, when collected, shall be paid into  
146.7 the county treasury for the benefit of the school district in which the offense is committed.

146.8 Sec. 3. Minnesota Statutes 2012, section 122A.09, subdivision 7, is amended to read:

146.9 Subd. 7. **Commissioner's assistance; board money.** The commissioner shall  
146.10 provide all necessary materials and assistance for the transaction of the business of the  
146.11 Board of Teaching and all moneys received by the Board of Teaching shall be paid into  
146.12 the state treasury as provided by law. The expenses of administering sections 122A.01,  
146.13 122A.05 to 122A.09, 122A.15, 122A.16, 122A.17, 122A.18, 122A.20, 122A.21, 122A.22,  
146.14 122A.23, 122A.26, 122A.30, 122A.40, 122A.41, 122A.42, 122A.45, 122A.49, ~~122A.52~~,  
146.15 ~~122A.53~~, 122A.54, 122A.55, 122A.56, 122A.57, and 122A.58 which are incurred by the  
146.16 Board of Teaching shall be paid for from appropriations made to the Board of Teaching.

146.17 Sec. 4. Minnesota Statutes 2012, section 127A.41, subdivision 7, is amended to read:

146.18 Subd. 7. **Schedule adjustments.** (a) It is the intention of the legislature to encourage  
146.19 efficient and effective use of staff and facilities by districts. Districts are encouraged to  
146.20 consider both cost and energy saving measures.

146.21 (b) Any district operating a program pursuant to sections 124D.12 to 124D.127; or  
146.22 124D.128, ~~or 124D.25 to 124D.29~~, or operating a commissioner-designated area learning  
146.23 center program under section 123A.09, or that otherwise receives the approval of the  
146.24 commissioner to operate its instructional program to avoid an aid reduction in any year,  
146.25 may adjust the annual school schedule for that program throughout the calendar year.

APPENDIX  
Article locations in H2397-1

	ENGLISH LEARNERS AND WORLD LANGUAGE	
ARTICLE 1	PROFICIENCY .....	Page.Ln 2.1
ARTICLE 2	GENERAL EDUCATION .....	Page.Ln 52.5
ARTICLE 3	EDUCATION EXCELLENCE .....	Page.Ln 55.8
ARTICLE 4	SPECIAL PROGRAMS .....	Page.Ln 114.1
ARTICLE 5	NUTRITION .....	Page.Ln 140.1
	EARLY CHILDHOOD EDUCATION, SELF-SUFFICIENCY, AND	
ARTICLE 6	LIFELONG LEARNING .....	Page.Ln 141.22
ARTICLE 7	LIBRARIES .....	Page.Ln 143.9
ARTICLE 8	UNSESSION CHANGES .....	Page.Ln 144.8
ARTICLE 9	CONFORMING CHANGES .....	Page.Ln 145.22

**119A.04 TRANSFERS FROM OTHER AGENCIES.**

Subd. 3. **Office of Strategic and Long-Range Planning.** The powers and duties of the Office of Strategic and Long-Range Planning with respect to the following programs are transferred to the Department of Education under section 15.039. The programs needing federal approval to transfer shall be transferred when the federal government grants transfer authority to the commissioner:

- (1) the information redesign project under section 4A.01;
- (2) the action for children activity under section 4A.01;
- (3) the teen pregnancy prevention program under section 4A.01; and
- (4) the Minnesota children's initiative project under section 4A.01.

**119A.08 NEIGHBORHOOD-BASED SERVICES FOR CHILDREN AND FAMILIES.**

Subdivision 1. **Pilot projects authorized.** The commissioner may establish a pilot project for family services collaboratives to deliver and broker services through neighborhood-based community organizations.

Subd. 2. **Family service collaborative; pilot.** (a) A family services collaborative under section 124D.23 may apply to the commissioner to participate in the pilot project in specified geographic areas. The selected collaborative must implement the program through family service centers and eligible community groups that have strong ties to a local neighborhood and represent the diversity of residents and that have a history of providing services in the neighborhood.

(b) An eligible organization must submit an application to the sponsoring family services collaborative with a description of areas to be served, a neighborhood presence, the needs of the area, the services to be provided with associated costs and resources, the intended outcomes, and the proposed methods of delivering service through volunteers, including any reimbursement or incentive not to exceed \$200 for any service. Proposed services and amounts must be listed in an outcomes-based format.

Subd. 3. **Eligible activities.** A participating center or group may deliver, or arrange for the delivery of, needed services listed in the application including assisting family members to achieve the GED requirements; assisting with English as a second language or citizenship classes and tests; assisting with access to early childhood programs, childhood immunizations, suitable child care, and home visits; and assisting in crime prevention through after-school enrichment activities, truancy prevention, and tutoring for academically underachieving children.

A collaborative that receives a grant under this section shall establish procedures to ensure the quality of the services paid for with grant funds and to monitor the delivery of services.

**120A.30 ATTENDANCE OFFICERS.**

The board of any district may authorize the employment of attendance officers, who must investigate truancy or nonattendance at school, make complaints, serve notice and process, and attend to the enforcement of all laws and district rules regarding school attendance. When any attendance officer learns of any case of habitual truancy or continued nonattendance of any child required to attend school the officer must immediately notify the person having control of the child to send and keep the child in school. The attendance officer must also refer a habitual truant child as defined in section 260C.007, subdivision 19, and the child's parent or legal guardian to appropriate services and procedures under chapter 260A, if available within the school district. Attendance officers or other designated school officials must ensure that the notice required by section 260A.03 for a child who is a continuing truant is sent. The officer must act under the general supervision of the superintendent.

**120B.19 CHINESE LANGUAGE PROGRAMS; CURRICULUM DEVELOPMENT PROJECT.**

Subdivision 1. **Project parameters.** (a) Notwithstanding other law to the contrary, the commissioner of education may contract with the Board of Regents of the University of Minnesota or other Minnesota public entity the commissioner determines is qualified to undertake the development of an articulated K-12 Chinese curriculum for Minnesota schools that involves:

- (1) creating a network of Chinese teachers and educators able to develop new and modify or expand existing world languages K-12 curricula, materials, assessments, and best practices needed to provide Chinese language instruction to students; and

## APPENDIX

### Repealed Minnesota Statutes: H2397-1

(2) coordinating statewide efforts to develop and expand Chinese language instruction so that it is uniformly available to students throughout the state, and making innovative use of media and technology, including television, distance learning, and online courses to broaden students' access to the instruction.

(b) The entity with which the commissioner contracts under paragraph (a) must have sufficient knowledge and expertise to ensure the professional development of appropriate, high-quality curricula, supplementary materials, aligned assessments, and best practices that accommodate different levels of student ability and types of programs.

(c) Project participants must:

(1) work throughout the project to develop curriculum, supplementary materials, aligned assessments, and best practices; and

(2) make curriculum, supplementary materials, aligned assessments, and best practices equitably available to Minnesota schools and students.

**Subd. 2. Project participants.** The entity with which the commissioner contracts must work with the network of Chinese teachers and educators to:

(1) conduct an inventory of Chinese language curricula, supplementary materials, and professional development initiatives currently used in Minnesota or other states;

(2) develop Chinese language curricula and benchmarks aligned to local world language standards and classroom-based assessments; and

(3) review and recommend to the commissioner how best to build an educational infrastructure to provide more students with Chinese language instruction, including how to develop and provide: (i) an adequate supply of Chinese language teachers; (ii) an adequate number of high-quality school programs; (iii) appropriate curriculum, instructional materials, and aligned assessments that include technology-based delivery systems; (iv) teacher preparation programs to train Chinese language teachers; (v) expedited licensing of Chinese language teachers; (vi) best practices in existing educational programs that can be used to establish K-12 Chinese language programs; and (vii) technical assistance resources.

#### **120B.24 ENDOWED CHAIR.**

Subdivision 1. **Purpose.** The purpose of the endowed chair program is to increase curriculum offerings and learning experiences available to students.

Subd. 2. **Eligibility.** A school site, represented by the school site council or, if no site council exists, the principal or lead teacher, and the party interested in endowing a chair may enter into an agreement for an endowed chair for no longer than one year in length. The party endowing the chair and the school site may, at their discretion, renew annually.

Subd. 3. **Program.** An endowed chair program may be for a semester, a summer session, or a full school year. Curriculum developed or provided under the endowed chair program must supplement the existing curriculum offerings available at the school in the particular subject chosen.

Subd. 4. **Agreement.** The agreement must make available funds sufficient for the salary and benefit costs of the instructor, and necessary supplies for the course. The participating site must provide the classroom space and administer the program. The parties, in consultation with the school district and the exclusive representative of the teachers, jointly select the instructor for the endowed chair.

#### **121A.17 SCHOOL BOARD RESPONSIBILITIES.**

Subd. 9. **Health care provider societies.** A board may consult with local societies of health care providers.

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

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

#### **122A.52 TEACHERS' REPORTS.**

An order must not be issued for the payment of the wages of any teacher while the teacher is in default in making reports or in returning the teacher's register. The teachers, principals,

APPENDIX

Repealed Minnesota Statutes: H2397-1

and superintendents shall make such reports as may be required by law or the rules of the state or local board under like penalty.

**122A.53 KEEPING OF REGISTERS.**

Each teacher shall keep a register, furnished by the clerk, showing the daily attendance of each pupil, and such other matters as may be required in such register. Each teacher shall also keep such record of department and scholarship as may be required by the board. The register shall show the names and ages of all pupils, the names and number of days' attendance of all pupils between the ages of five and eight years, between eight and 15 years, and between 15 and 21 years, and the names of all paying tuition. The teacher shall return such register, properly kept, to the clerk within ten days after the close of the school year.

**122A.61 RESERVED REVENUE FOR STAFF DEVELOPMENT.**

Subd. 2. **Career teacher staff development.** Of a district's basic revenue under section 126C.10, subdivision 2, an amount equal to \$5 times the number of resident pupil units must be reserved by a district operating a career teacher program according to sections 124D.25 to 124D.29. The revenue may be used only to provide staff development for the career teacher program.

**123B.15 REFUSING TO SERVE ON SCHOOL BOARD.**

Any person who accepts election or appointment to any school board and who refuses or neglects to qualify or to serve or to perform any of the duties of the office, shall be fined \$10 for each offense. The fine shall be collected in an action before a district court. It may be prosecuted in the name of the district by any school board member or eligible voter of the district.

**123B.16 FAILURE OF CLERK TO REPORT.**

Any clerk of a school district who fails to make any report required by law shall forfeit not less than \$5, nor more than \$50, for the use of the district.

**123B.17 DRAWING ILLEGAL ORDER.**

Any school district clerk who illegally draws an order upon the treasurer, any chair or other officer who attests the order, and any school district treasurer who knowingly pays the order, shall each forfeit to the district twice the amount of the order, to be collected in an action brought in the name of the district by any eligible voter of the district.

**123B.18 NEGLECTING TO KEEP OR DELIVER RECORDS.**

Any school district clerk who shall neglect to keep official books and records in the manner prescribed by law or shall willfully refuse to deliver such books and records to a successor in office, shall forfeit to the use of the district the sum of \$10 for each offense.

**123B.26 JUDGMENT PAID BY TREASURER.**

Except as provided in this section, no execution shall issue upon any judgment against a district for the recovery of money. Unless the judgment is stayed by appeal, the treasurer shall pay such judgment, upon presentation of a certified copy of the judgment, if the district has sufficient money not otherwise appropriated. A treasurer who fails to pay the judgment shall be personally liable for the amount, unless the collection is stayed afterwards.

**123B.27 ISSUANCE OF EXECUTION.**

If the judgment is not paid within 30 days after the time when the proceeds of such levy becomes payable by the county treasurer of the district, execution may be issued thereon, to which any property belonging to the district shall be liable.

**124D.24 CITATION; MINNESOTA FAMILY CONNECTIONS ACT.**

APPENDIX

Repealed Minnesota Statutes: H2397-1

Sections 124D.25 to 124D.29 may be cited as the "Minnesota Family Connections Act."

**124D.25 PURPOSE OF FAMILY CONNECTIONS ACT.**

The legislature recognizes the unique and lifelong learning and development process of all human beings. The legislature is committed to the goal of maximizing the individual growth potential of all learners. The purposes of the Family Connections Act are:

- (1) to offer family connections programs which emphasize learning and development based on learner outcomes;
- (2) to recognize and utilize the unique skills that teachers, students, family, and the community have in both the teaching process and the learning and development process; and
- (3) to provide an opportunity for maximum use of teachers, principals, and counselors.

**124D.26 IMPROVED LEARNING PROGRAM.**

Subdivision 1. **Authorization.** A district or group of districts may establish an improved learning program.

Subd. 2. **Rules and rights.** The commissioner of education may waive district compliance with its rules which would prevent implementation of an improved learning program. Participation in an improved learning program as a principal-teacher, counselor-teacher, or career teacher must not affect seniority in the district or rights under the applicable collective bargaining agreement.

Subd. 3. **Additional funding.** A district providing an improved learning program may receive funds for the program from private sources and governmental agencies, including state or federal funds.

**124D.27 ADVISORY COUNCIL.**

The board of a district providing a family connections program must appoint an advisory council. Council members must be selected from the school attendance area in which programs are provided. Members of the council may include students, teachers, principals, administrators and community members. A majority of the members must be parents with children participating in the local program. The local advisory council must advise the board in the development, coordination, supervision, and review of the career teacher program. The council must meet at least two times each year with any established community education advisory council in the district. Members of the council may be members of the community education advisory council. The council must report to the school board.

**124D.28 FAMILY CONNECTIONS PROGRAM COMPONENTS.**

Subdivision 1. **Mandatory components.** A family connections program must include:

- (1) participation by a designated individual as a career teacher, principal-teacher, or counselor teacher;
- (2) an emphasis on each individual child's unique learning and development needs;
- (3) procedures to give the career teacher a major responsibility for leadership of the instructional and noninstructional activities of each child beginning with early childhood family education;
- (4) procedures to involve parents in the learning and development experiences of their children;
- (5) procedures to implement outcome-based education by focusing on the needs of the learner;
- (6) procedures to coordinate and integrate the instructional program with all community education programs;
- (7) procedures to concentrate career teacher programs at sites that provide early childhood family education and subsequent learning and development programs; and
- (8) procedures for the district to fund the program.

Subd. 2. **Optional components.** A family connections program may include:

- (1) efforts to improve curricula strategies, instructional strategies, and use of materials that respond to the individual educational needs and learning styles of each pupil in order to enable each pupil to make continuous progress and to learn at a rate appropriate to that pupil's abilities;
- (2) efforts to develop student abilities in basic skills; applied learning skills; and, when appropriate, arts; humanities; physical, natural, and social sciences; multicultural education; physical, emotional, and mental health; consumer economics; and career education;

## APPENDIX

### Repealed Minnesota Statutes: H2397-1

- (3) use of community resources and communications media to pursue learning and development opportunities for pupils;
- (4) staff development for teachers and other school personnel;
- (5) improvements to the learning and development environment, including use of the community in general, to enhance the learning and development process;
- (6) cooperative efforts with other agencies involved with human services or child development and development of alternative community based learning and development experiences;
- (7) postsecondary education components for pupils who are able to accelerate or programs for pupils with special abilities and interests who are given advanced learning and development opportunities within existing programs;
- (8) use of volunteers in the learning and development program;
- (9) flexible attendance schedules for pupils;
- (10) adult education component;
- (11) coordination with early childhood family education and community education programs;
- (12) variable student/faculty ratios for special education students to provide for special programming;
- (13) inclusion of nonpublic pupils as part of the ratio in the career teacher, principal-teacher, and counselor teacher component;
- (14) application of educational research findings;
- (15) summer learning and development experiences for students as recommended by the career teacher, principal-teacher, and counselor teacher;
- (16) use of education assistants, teacher aides, or paraprofessionals as part of the career teacher program;
- (17) establishment of alternative criteria for high school graduation; and
- (18) variable age and learning size groupings of students.

#### **124D.29 CAREER TEACHER.**

Subdivision 1. **Status.** A family connections program may include a career teacher, principal-teacher, and counselor teacher component. The career teacher, principal-teacher, and counselor teacher must not be the exclusive teacher for students assigned to them but shall serve as a primary teacher and perform the function of developing and implementing a student's overall learning and development program. The career teacher, principal-teacher, and counselor teacher may be responsible for regular assignments as well as learning and development programs for other assigned students.

Subd. 2. **Qualifications.** (a) An individual employed as a career teacher must be licensed as a teacher and shall be considered a teacher as defined in section 179A.03, subdivision 18, for purposes of chapter 179A.

(b) An individual employed as a principal teacher must be licensed as a principal and shall be considered a principal, as defined in section 179A.03, subdivision 12, for purposes of chapter 179A.

(c) An individual employed as a counselor teacher must be licensed as a counselor and shall be considered a teacher, as defined in section 179A.03, subdivision 18, for purposes of chapter 179A.

Subd. 3. **Staff/student ratio.** (a) Except as provided in paragraph (b), one career teacher, principal-teacher, or counselor teacher shall be assigned for every 125 students. For each special education student included in the assignment, the 1:125 ratio must be reduced by one.

(b) One principal-teacher shall be assigned for every 50 students when the principal-teacher is also the principal of the school.

Subd. 4. **Selection; renewal.** (a) The board must establish procedures for teachers, principals, and counselors to apply for the position of career teacher, principal-teacher, or counselor teacher. The authority for selection of career teachers, principal-teachers, and counselor teachers is vested in the board and no individual shall have a right to employment as a career teacher, principal-teacher, or counselor teacher based on seniority or order of employment in the district.

(b) Employment of the career teacher, principal-teacher, and counselor teacher may be on a 12-month basis with vacation time negotiated individually with the board. The annual contract of a career teacher, principal-teacher, or counselor teacher may not be renewed, as the board shall see fit. The board must give any teacher whose contract as a career teacher, principal-teacher, or counselor teacher it declines to renew for the following year written notice to that effect

## APPENDIX

### Repealed Minnesota Statutes: H2397-1

before April 15. If the board fails to renew the contract of a career teacher, principal-teacher, or counselor teacher, that individual must be reinstated to another position in the district if eligible pursuant to section 122A.40 or 122A.41.

Subd. 5. **Duties.** The career teacher, principal-teacher, and counselor teacher is responsible for:

- (1) the overall education, learning, and development plan of assigned students. The career teacher, principal-teacher, and counselor teacher must design this plan with the student, parents, and other faculty, and must seek to maximize the learning and development potential and maturation level of each pupil;
- (2) measuring the proficiency of the assigned students and assisting other staff in identifying pupil needs and making appropriate educational and subject groupings;
- (3) when part of the district's plan, taking responsibility for the parent and early childhood education of assigned students;
- (4) designing and being responsible for program components which meet special learning needs of high potential and talented students;
- (5) coordinating the ongoing, year-to-year learning and development program for assigned students; and
- (6) developing learning and development portfolios.

#### **124D.30 FAMILY CONNECTIONS AID.**

Subdivision 1. **Eligibility.** A district that has a family connections program, according to sections 124D.24 to 124D.29, for one or more of its teachers is eligible for aid to extend the teaching contract of a family connections teacher.

Subd. 2. **Aid.** A district with an approved plan shall receive \$30 per pupil served at the school site with the family connections program. The district must provide a match of \$15 per pupil served at the school site with the family connections program.

Subd. 3. **Commissioner approval.** The commissioner may approve plans and applications for districts throughout the state for family connections aid. The commissioner shall establish application procedures and deadlines.

Subd. 4. **Use of aid.** Family connections aid may be used only to implement a family connections program.

#### **124D.31 RESERVED REVENUE FOR CERTAIN TEACHER PROGRAM.**

A district that has a family connections program or a mentor-teacher program may reserve part of the basic revenue under section 126C.10, subdivision 2, for the district's share, of the portion of the teaching contract that is in addition to the standard teaching contract of the district.

#### **125A.027 INTERAGENCY EARLY INTERVENTION COMMITTEE RESPONSIBILITIES.**

Subd. 3. **Implementation timeline.** By July 1, 2000, the individual interagency intervention plan must be available and by January 1, 2001, all governing boards of interagency early intervention committees statewide must implement a coordinated service system for children up to age five with disabilities consistent with the requirements of this section and section 125A.023 and the evaluation results from the demonstration projects under section 125A.023, subdivision 5. Children with disabilities up to the age of 21 shall be eligible for coordinated services and their eligibility to receive such services under this section shall be phased in over a four-year period as follows:

- (1) July 1, 2001, children up to age nine become eligible;
- (2) July 1, 2002, children up to age 14 become eligible; and
- (3) July 1, 2003, children up to age 21 become eligible.