ARTICLE 8
HEALTH AND SAFETY
Section 1. Minnesota Statutes 2022, section 120A.22, subdivision 12, is amended to read:
Subd. 12. Legitimate exemptions. (a) A parent, guardian, or other person having control of a child may apply to a school district to have the child excused from attendance for the whole or any part of the time school is in session during any school year. Application may be made to any member of the board, a truant officer, a principal, or the superintendent. The school district may state in its school attendance policy that it may ask the student's parent or legal guardian to verify in writing the reason for the child's absence from school. A note from a physician or a licensed mental health professional stating that the child cannot attend school is a valid excuse. The board of the district in which the child resides may approve the application upon the following being demonstrated to the satisfaction of that
board: (1) that the child's physical or mental health is such as to prevent attendance at school
or application to study for the period required, which includes:
(i) child illness, medical, dental, orthodontic, or counseling appointments, including appointments conducted through telehealth;
(ii) family emergencies;
(iii) the death or serious illness or funeral of an immediate family member;
(iv) active duty in any military branch of the United States;
(v) the child has a condition that requires ongoing treatment for a mental health diagnosis; or
(vi) other exemptions included in the district's school attendance policy;
(2) that the child has already completed state and district standards required for graduation from high school; or
(3) that it is the wish of the parent, guardian, or other person having control of the child, that the child attend, for a period or periods not exceeding in the aggregate three hours in any week, instruction conducted by a Tribal spiritual or cultural advisor, or a school for religious instruction conducted and maintained by some a church, or association of churches, or any Sunday school association incorporated under the laws of this state, or any auxiliary thereof. This school for religious instruction must be conducted and maintained in a place other than a public school building, and it must not, in whole or in part, be conducted and maintained at public expense. However, A child may be absent from school on such days as that the child attends upon instruction according to the ordinances of some church this clause.

74.6 **ARTICLE 7**

74.7 **HEALTH AND SAFETY**

Health & Safety	April 15, 2024 02:11 PM
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Senate Language S3567-2

House Language UES3567-1

Section 1. Minnesota Statutes 2022, section 120B.21, is amended to read:

5.11	(b) Notwithstanding subdivision 6, paragraph (a), a parent may withdraw a child from
5.12	an all-day, every day kindergarten program and put their child in a half-day program, if
5.13	offered, or an alternate-day program without being truant. A school board must excuse a
5.14	kindergarten child from a part of a school day at the request of the child's parent.
5 1 5	FFFFCTIVE DATE. This section is effective for the 2024-2025 school year and later

Sec. 2. [120B.213] HEALTHY AGING AND DEMENTIA EDUCATION.

85.17	School districts and charter schools are encouraged to provide instruction on healthy
85.18	aging and dementia to students in grades 6 through 12 that is aligned with local health
85.19	standards and integrated into existing programs, curriculum, or the general school
85.20	environment of a district or charter school. The commissioner of education, in consultation
85.21	with the commissioner of health and dementia advocacy organizations, must, by July 1,
85.22	2025, and July 1 of each odd-numbered year thereafter, provide districts and charter schools
85.23	with age-appropriate resources on healthy aging and dementia including but not limited to
85.24	strategies to maintain brain health, information on Alzheimer's disease and other forms of
85.25	dementia, and caring for an elder with a cognitive impairment.

4.9	120B.21 MENTAL HEALTH EDUCATION.
4.10	(a) School districts and charter schools are encouraged to provide mental health instruction
4.11	for students in grades 4 through 12 aligned with local health standards and integrated into
4.12	existing programs, curriculum, or the general school environment of a district or charter
4.13	school. The commissioner, in consultation with the commissioner of human services,
4.14	commissioner of health, and mental health organizations, must, by July 1, 2020, and July
4.15	1 of each even-numbered year thereafter, provide districts and charter schools with resources
4.16	gathered by Minnesota mental health advocates, including:
4.17	(1) age-appropriate model learning activities for grades 4 through 12 that encompass
4.18	the mental health components of the National Health Education Standards and the
4.19	benchmarks developed by the department's quality teaching network in health and best
4.20	practices in mental health education; and
4.21	(2) - 1:
4.21	(2) a directory of resources for planning and implementing age-appropriate mental health
4.22	curriculum and instruction in grades 4 through 12 that includes resources on suicide and
4.23	self-harm prevention. A district or charter school providing instruction or presentations on
4.24	preventing suicide or self-harm must use either the resources provided by the commissioner
4.25	or other evidence-based instruction.
4.26	(h) Starting in the 2026 2027 school year school districts and shouter schools movet
	(b) Starting in the 2026-2027 school year, school districts and charter schools must
4 27	provide mental health instruction in accordance with paragraph (a)

85.26 **EFFECTIVE DATE.** This section is effective July 1, 2024.

5.27	Sec. 3. [121A.055] SAFE SCHOOLS TRANSPARENCY.
5.28 5.29 5.30 5.31 5.32	A charter school or school district is prohibited from engaging in retaliatory action against a teacher or other school employee for discussing incidents of school violence or dangerous conduct. A school or school district must not retaliate against an employee for participating in an investigation, hearing, or inquiry regarding school and classroom safety. Nothing in this section waives a student's data privacy rights under federal and state law.
6.1	EFFECTIVE DATE. This section is effective for the 2024-2025 school year and later.
6.2 6.3	Sec. 4. Minnesota Statutes 2023 Supplement, section 121A.20, subdivision 2, is amended to read:
6.4 6.5	Subd. 2. Definition. For purposes of this section, "health services specialist" means a professional registered nurse who:
6.6	(1) is licensed as a public health nurse in Minnesota;
6.7	(2) is licensed as a school nurse in Minnesota;
6.8 6.9	(3) has a minimum of three years of experience in school nursing services or as a public health nurse serving schools; and
6.10 6.11	(4) has experience in managing a districtwide health policy, overseeing a budget, and supervising personnel; and.
6.12	(5) has a graduate degree in nursing, public health, education, or a related field.
6.13	Sec. 5. [121A.216] ACCESS TO SPACE FOR MENTAL HEALTH CARE THROUGH
6.14	TELEHEALTH.
6.15 6.16	Subdivision 1. Access to space. (a) To the extent space is available, a school district or charter school must provide an enrolled secondary school student with access during regular
0.10	charter school must provide an emolied secondary school student with access during regular

74.28	Sec. 2. [121A.033] NOTICE; DISSEMINATION OF PRIVATE IMAGES.
74.29 74.30 74.31 75.1 75.2 75.3	(a) The commissioner of education must, using existing resources, develop a model notice that districts or schools can provide to students and parents or guardians about the legal, social, behavioral, and mental health implications of and impact to students and student families regarding the dissemination of private sexual images as specified in section 617.261. The commissioner may consult with the commissioner of health and the Office of the Attorney General to develop the model notice.
75.4 75.5	(b) A district or school may provide a copy of the notice developed under paragraph (a) to students and parents or guardians.
80.6 80.7	Sec. 3. Minnesota Statutes 2023 Supplement, section 121A.20, subdivision 2, is amended to read:
80.8 80.9	Subd. 2. Definition. For purposes of this section, "health services specialist" means a professional registered nurse who:
80.10	(1) is licensed as a public health nurse in Minnesota;
80.11	(2) is licensed as a school nurse in Minnesota;
80.12 80.13	(3) has a minimum of three years of experience in school nursing services or as a public health nurse serving schools; and
80.14 80.15	(4) has experience in managing a districtwide health policy , overseeing a budget, and supervising personnel; and .
80.16	(5) has a graduate degree in nursing, public health, education, or a related field.
80.17	EFFECTIVE DATE. This section is effective the day following final enactment.
75.6 75.7	Sec. 3. [121A.216] ACCESS TO SPACE FOR MENTAL HEALTH CARE THROUGH TELEHEALTH.
75.8	(a) Beginning October 1, 2024, to the extent space is available, a school district or charter

school must provide an enrolled secondary school student with access during regular school

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86.17	school hours, and to the extent staff is available, before or after the school day on days when
86.18	students receive instruction at school, to space at the school site that a student may use to
86.19	receive mental health care through telehealth from a student's licensed mental health provider.
86.20	A secondary school must develop a plan with procedures to receive requests for access to
86.21	the space. A school must make the space available beginning October 1, 2024.
86.22	(b) The space must provide a student privacy to receive mental health care.
86.23	(c) A student may use a school-issued device to receive mental health care through
86.24	telehealth if such use is consistent with the district or school policy governing acceptable
86.25	use of the school-issued device.
86.26	(d) A school may require a student requesting access to space under this section to submit
86.27	to the school a signed and dated consent from the student's parent or guardian, or from the
86.28	student if the student is age 16 or older, authorizing the student's licensed mental health
86.29	provider to release information from the student's health record that is requested by the
86.30	school to confirm the student is currently receiving mental health care from the provider.
86.31	Such a consent is valid for the school year in which it is submitted.
87.1	Subd. 2. Immunity . Notwithstanding section 466.02, a school district or charter school
87.2	is immune from liability for any tort claim based upon an act or omission of an officer or
87.3	employee in the execution of this statute, unless the claim is based upon recklessness, gross
87.4	negligence, or intentional misconduct.
87.5	EFFECTIVE DATE. This section is effective for the 2024-2025 school year and later.
87.5 87.6	EFFECTIVE DATE. This section is effective for the 2024-2025 school year and later. Sec. 6. Minnesota Statutes 2022, section 121A.22, subdivision 2, is amended to read:
87.6	Sec. 6. Minnesota Statutes 2022, section 121A.22, subdivision 2, is amended to read:
87.6 87.7	Sec. 6. Minnesota Statutes 2022, section 121A.22, subdivision 2, is amended to read: Subd. 2. Exclusions. In addition, this section does not apply to drugs or medicine that
87.6 87.7 87.8	Sec. 6. Minnesota Statutes 2022, section 121A.22, subdivision 2, is amended to read: Subd. 2. Exclusions. In addition, this section does not apply to drugs or medicine that are:
87.6 87.7 87.8 87.9 87.10 87.11	Sec. 6. Minnesota Statutes 2022, section 121A.22, subdivision 2, is amended to read: Subd. 2. Exclusions. In addition, this section does not apply to drugs or medicine that are: (1) purchased without a prescription; (2) used by a pupil who is 18 years old or older; (3) used in connection with services for which a minor may give effective consent,
87.6 87.7 87.8 87.9 87.10	Sec. 6. Minnesota Statutes 2022, section 121A.22, subdivision 2, is amended to read: Subd. 2. Exclusions. In addition, this section does not apply to drugs or medicine that are: (1) purchased without a prescription; (2) used by a pupil who is 18 years old or older;
87.6 87.7 87.8 87.9 87.10 87.11	Sec. 6. Minnesota Statutes 2022, section 121A.22, subdivision 2, is amended to read: Subd. 2. Exclusions. In addition, this section does not apply to drugs or medicine that are: (1) purchased without a prescription; (2) used by a pupil who is 18 years old or older; (3) used in connection with services for which a minor may give effective consent,
87.6 87.7 87.8 87.9 87.10 87.11 87.12	Sec. 6. Minnesota Statutes 2022, section 121A.22, subdivision 2, is amended to read: Subd. 2. Exclusions. In addition, this section does not apply to drugs or medicine that are: (1) purchased without a prescription; (2) used by a pupil who is 18 years old or older; (3) used in connection with services for which a minor may give effective consent, including section 144.343, subdivision 1, and any other law;
87.6 87.7 87.8 87.9 87.10 87.11 87.12 87.13	Sec. 6. Minnesota Statutes 2022, section 121A.22, subdivision 2, is amended to read: Subd. 2. Exclusions. In addition, this section does not apply to drugs or medicine that are: (1) purchased without a prescription; (2) used by a pupil who is 18 years old or older; (3) used in connection with services for which a minor may give effective consent, including section 144.343, subdivision 1, and any other law; (4) used in situations in which, in the judgment of the school personnel, including a
87.6 87.7 87.8 87.9 87.10 87.11 87.12 87.13 87.14	Sec. 6. Minnesota Statutes 2022, section 121A.22, subdivision 2, is amended to read: Subd. 2. Exclusions. In addition, this section does not apply to drugs or medicine that are: (1) purchased without a prescription; (2) used by a pupil who is 18 years old or older; (3) used in connection with services for which a minor may give effective consent, including section 144.343, subdivision 1, and any other law; (4) used in situations in which, in the judgment of the school personnel, including a licensed nurse, who are present or available, the risk to the pupil's life or health is of such
87.6 87.7 87.8 87.9 87.10 87.11 87.12 87.13 87.14 87.15	Sec. 6. Minnesota Statutes 2022, section 121A.22, subdivision 2, is amended to read: Subd. 2. Exclusions. In addition, this section does not apply to drugs or medicine that are: (1) purchased without a prescription; (2) used by a pupil who is 18 years old or older; (3) used in connection with services for which a minor may give effective consent, including section 144.343, subdivision 1, and any other law; (4) used in situations in which, in the judgment of the school personnel, including a licensed nurse, who are present or available, the risk to the pupil's life or health is of such a nature that drugs or medicine should be given without delay;
87.6 87.7 87.8 87.9 87.10 87.11 87.12 87.13 87.14 87.15	Sec. 6. Minnesota Statutes 2022, section 121A.22, subdivision 2, is amended to read: Subd. 2. Exclusions. In addition, this section does not apply to drugs or medicine that are: (1) purchased without a prescription; (2) used by a pupil who is 18 years old or older; (3) used in connection with services for which a minor may give effective consent, including section 144.343, subdivision 1, and any other law; (4) used in situations in which, in the judgment of the school personnel, including a licensed nurse, who are present or available, the risk to the pupil's life or health is of such a nature that drugs or medicine should be given without delay; (5) used off the school grounds;
87.6 87.7 87.8 87.9 87.10 87.11 87.12 87.13 87.14 87.15 87.16	Sec. 6. Minnesota Statutes 2022, section 121A.22, subdivision 2, is amended to read: Subd. 2. Exclusions. In addition, this section does not apply to drugs or medicine that are: (1) purchased without a prescription; (2) used by a pupil who is 18 years old or older; (3) used in connection with services for which a minor may give effective consent, including section 144.343, subdivision 1, and any other law; (4) used in situations in which, in the judgment of the school personnel, including a licensed nurse, who are present or available, the risk to the pupil's life or health is of such a nature that drugs or medicine should be given without delay; (5) used off the school grounds; (6) used in connection with athletics or extra curricular activities;

75.10 75.11 75.12 75.13 75.14 75.15	hours, and to the extent staff is available, before or after the school day on days when students receive instruction at school, to space at the school site that a student may use to receive mental health care through telehealth from a student's licensed mental health provider. A secondary school must develop a plan with procedures to receive requests for access to the space. (b) The space must provide a student privacy to receive mental health care.
75.16 75.17 75.18	(c) A student may use a school-issued device to receive mental health care through telehealth if such use is consistent with the district or school policy governing acceptable use of the school-issued device.
75.19 75.20 75.21 75.22 75.23 75.24	(d) A school may require a student requesting access to space under this section to submit to the school a signed and dated consent from the student's parent or guardian, or from the student if the student is age 16 or older, authorizing the student's licensed mental health provider to release information from the student's health record that is requested by the school to confirm the student is currently receiving mental health care from the provider. Such a consent is valid for the school year in which it is submitted.
75.25	EFFECTIVE DATE. This section is effective for the 2024-2025 school year and later.
75.26	Sec. 4. Minnesota Statutes 2022, section 121A.22, subdivision 2, is amended to read:
75.27 75.28	Subd. 2. Exclusions. In addition, this section does not apply to drugs or medicine that are:
75.29	(1) purchased without a prescription;
75.30	(2) used by a pupil who is 18 years old or older;
76.1 76.2	(3) used in connection with services for which a minor may give effective consent, including section 144.343, subdivision 1, and any other law;
76.3 76.4 76.5	(4) used in situations in which, in the judgment of the school personnel, including a licensed nurse, who are present or available, the risk to the pupil's life or health is of such a nature that drugs or medicine should be given without delay;
76.6	(5) used off the school grounds;
76.7	(6) used in connection with athletics or extra curricular activities;
76.8	(7) used in connection with activities that occur before or after the regular school day;

76.9 (8) provided or administered by a public health agency to prevent or control an illness 76.10 or a disease outbreak as provided for in sections 144.05 and 144.12;

House Language UES3567-1

House Language UES3567-1

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section is not the practice of medicine.

section is not the practice of medicine.

Health & Safety

88.23 88.24 88.25 88.26 88.27 88.28 88.29	(b) Registered nurses may administer epinephrine auto-injectors in a school setting according to a condition-specific protocol as authorized under section 148.235, subdivision 8. Notwithstanding any limitation in sections 148.171 to 148.285, licensed practical nurses may administer epinephrine auto-injectors in a school setting according to a condition-specific protocol that does not reference a specific patient and that specifies the circumstances under which the epinephrine auto-injector is to be administered, when caring for a patient whose condition falls within the protocol.
88.30	EFFECTIVE DATE. This section is effective July 1, 2024.
89.1	Sec. 9. Minnesota Statutes 2022, section 121A.41, subdivision 8, is amended to read:
89.2 89.3	Subd. 8. School. "School" means any school defined in section 120A.05, subdivisions 9, 11, 13, and 17. "School" also means a charter school.
89.4 89.5	Sec. 10. [121A.612] STUDENTS PULLED OUT OF CLASS; NOTICE AND RECORD KEEPING.
89.6 89.7 89.8 89.9 89.10 89.11 89.12 89.13	(a) If a public school student is pulled out of class for an unscheduled removal that lasts more than ten minutes and the student did not request to be taken out of class or the student's parent did not know the student was pulled out of class, either the school principal or their designee or other person having general administrative control and supervision of the school or classroom teacher, within 24 hours, must make a good faith attempt to notify the student's parent or guardian by phone or by email and keep a record of the parental notification. The record of parental notification must record the date and time the attempt to notify was made. The record may be kept in a form and manner preferred by the individual creating the record and must be discarded at the end of the school year.
89.15 89.16	(b) A nonpublic school under section 123B.41, subdivision 9, is encouraged to adopt a policy consistent with this section.
89.17	EFFECTIVE DATE. This section is effective for the 2024-2025 school year and later.
89.18 89.19	Sec. 11. Minnesota Statutes 2023 Supplement, section 124D.901, subdivision 4, is amended to read:
89.20 89.21 89.22 89.23 89.24 89.25 89.26	Subd. 4. Allowed uses. (a) Aid under this section must be used to hire new positions for student support services personnel or increase a current position that is less than 1.0 full-time equivalent to a greater number of service hours or make permanent a position hired using onetime resources awarded through the federal Coronavirus Aid Relief and Economic Security Act, the federal Consolidated Appropriations Act, the federal Division M-Coronavirus Response and Relief Supplemental Appropriations Act, or the federal American Rescue Plan Act, or to maintain a position that would otherwise be eliminated.

(b) Cooperative student support personnel aid must be transferred to the intermediate

district or other cooperative unit of which the district is a member and used to hire new positions for student support services personnel or increase a current position that is less than 1.0 full-time equivalent to a greater number of service hours or make permanent a

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Senate Language S3567-2

April 15, 2024 02:11 PM

House Language UES3567-1

77.15	(b) Registered nurses may administer epinephrine auto-injectors in a school setting
77.16	according to a condition-specific protocol as authorized under section 148.235, subdivision
77.17	8. Notwithstanding any limitation in sections 148.171 to 148.285, licensed practical nurses
77.18	may administer epinephrine auto-injectors in a school setting according to a condition-specific
77.19	protocol that does not reference a specific patient and that specifies the circumstances under
77.20	which the epinephrine auto-injector is to be administered, when caring for a patient whose
77.21	condition falls within the protocol.
77.22	EFFECTIVE DATE. This section is effective July 1, 2024.

89.31	position hired using onetime resources awarded through the American Rescue Plan Act at
89.32	the intermediate district or cooperative unit.

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- (c) If a school district, charter school, or cooperative unit does not receive at least two applications and is not able to hire a new full-time equivalent position with student support personnel aid, the aid may be used for contracted services from individuals licensed to serve as a school counselor, school psychologist, school social worker, school nurse, or chemical dependency counselor in Minnesota.
- (d) Notwithstanding paragraphs (a) to (c), aid under this section may be used to maintain existing student support services personnel positions, including positions established prior to the 2023-2024 school year and positions initially funded with local, state, or federal resources, if the superintendent or charter school director provides the commissioner with a statement of assurances that the positions would be eliminated without the flexibility provided under this paragraph.

90.12 **EFFECTIVE DATE.** This section is effective for revenue in fiscal year 2025 and later.

- Sec. 12. Minnesota Statutes 2022, section 128C.02, is amended by adding a subdivision 90.13 90.14 to read:
- 90.15 Subd. 3c. Eating disorder awareness. The league must provide school coaches with eating disorder prevention education resources developed specifically for school coaches about the nature and risks of eating disorders, including the risk factors, mitigation strategies, effects, and risks of undiagnosed and untreated eating disorders, consistent with current 90.18 medical research. 90.19
- Sec. 13. Minnesota Statutes 2022, section 260E.14, subdivision 1, is amended to read: 90.20
 - Subdivision 1. Facilities and schools. (a) The local welfare agency is the agency responsible for investigating allegations of maltreatment in child foster care, family child care, legally nonlicensed child care, and reports involving children served by an unlicensed personal care provider organization under section 256B.0659. Copies of findings related to personal care provider organizations under section 256B.0659 must be forwarded to the Department of Human Services provider enrollment.
- (b) The Department of Human Services is the agency responsible for screening and 90.27 investigating allegations of maltreatment in juvenile correctional facilities listed under section 241.021 located in the local welfare agency's county and in facilities licensed or certified under chapters 245A, 245D, and 245H, except for child foster care and family 90.31 child care.
- (c) The Department of Health is the agency responsible for screening and investigating 91.1 allegations of maltreatment in facilities licensed under sections 144.50 to 144.58 and 144A.43 to 144A.482 or chapter 144H. 91.3
- (d) The Department of Education is the agency responsible for screening and investigating 91.4 allegations of maltreatment in a school as defined in section 120A.05, subdivisions 9, 11,

Sec. 7. Minnesota Statutes 2022, section 260E.14, subdivision 1, is amended to read:

Subdivision 1. Facilities and schools. (a) The local welfare agency is the agency 77.24 responsible for investigating allegations of maltreatment in child foster care, family child care, legally nonlicensed child care, and reports involving children served by an unlicensed personal care provider organization under section 256B.0659. Copies of findings related to personal care provider organizations under section 256B.0659 must be forwarded to the Department of Human Services provider enrollment.

- (b) The Department of Human Services is the agency responsible for screening and investigating allegations of maltreatment in juvenile correctional facilities listed under section 241.021 located in the local welfare agency's county and in facilities licensed or certified under chapters 245A, 245D, and 245H, except for child foster care and family 78.2 child care.
- (c) The Department of Health is the agency responsible for screening and investigating 78.3 allegations of maltreatment in facilities licensed under sections 144.50 to 144.58 and 144A.43 to 144A.482 or chapter 144H. 78.5
- (d) The Department of Education is the agency responsible for screening and investigating 78.6 allegations of maltreatment in a school as defined in section 120A.05, subdivisions 9, 11,

Health & Safety

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Senate Language S3567-2	

91.6	and 13, and chapter 124E. The Department of Education's responsibility to screen and
91.7	investigate includes allegations of maltreatment involving students at least 18 to 21 but not
91.8	yet 22 years of age, including students receiving special education services, up to and
91.9	including graduation and the issuance of a secondary or high school diploma.

(e) A health or corrections agency receiving a report may request the local welfare agency 91.10 91.11 to provide assistance pursuant to this section and sections 260E.20 and 260E.22.

House Language UES3567-1

- and 13, and chapter 124E. The Department of Education's responsibility to screen and investigate includes allegations of maltreatment involving students 18 to through 21 years of age, including students receiving special education services, up to and including graduation and the issuance of a secondary or high school diploma.
- (e) A health or corrections agency receiving a report may request the local welfare agency 78.12 78.13 to provide assistance pursuant to this section and sections 260E.20 and 260E.22.
- **EFFECTIVE DATE.** This section is effective July 1, 2024. 78.14

April 15, 2024 02:11 PM