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ARTICLE 1
GENERAL EDUCATION

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Section 1. Minnesota Statutes 2023 Supplement, section 124D.09, subdivision 5, is amended to read:

Subd. 5. **Authorization; notification.** (a) Notwithstanding any other law to the contrary, an 11th or 12th grade pupil enrolled in a school or an American Indian-controlled Tribal contract or grant school eligible for aid under section 124D.83, except a foreign exchange pupil enrolled in a district under a cultural exchange program, may apply to an eligible institution, as defined in subdivision 3, to enroll in nonsectarian courses offered by that postsecondary institution.

(b) If an institution accepts a secondary pupil for enrollment under this section, the institution shall send written notice to the pupil, the pupil's school or school district, and the commissioner. The notice must indicate the course and hours of enrollment of that pupil. The institution must notify the pupil's school as soon as practicable if the pupil withdraws from the enrolled course. The institution must also notify the pupil's school as soon as practicable if the pupil has been absent from a course for ten consecutive days on which classes are held, based upon the postsecondary institution's academic calendar, and the pupil is not receiving instruction in their home or hospital or other facility.

(c) If the pupil enrolls in a course for postsecondary credit, the institution must notify:

(1) the pupil about payment in the customary manner used by the institution; ~~and,~~

(2) ~~the pupil's school as soon as practicable if the pupil withdraws from the course or stops attending the course.~~

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ARTICLE 1
GENERAL EDUCATION

NOTE: FOR HOUSE LANGUAGE IN UES3567-1, ARTICLE 1, SECTIONS 1-2, SEE COMPARISON TO SENATE LANGUAGE IN S3567-2, ARTICLE 2, SECTIONS 1-2.

Sec. 3. **[121A.73] SCHOOL CELL PHONE POLICY.**

A school district or charter school must adopt a policy on students' possession and use of cell phones in school by March 15, 2025. The Minnesota Elementary School Principals Association and the Minnesota Association of Secondary School Principals must collaborate to make best practices available to schools on a range of different strategies in order to minimize the impact of cell phones on student behavior, mental health, and academic attainment.

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

Sec. 17. Minnesota Statutes 2023 Supplement, section 124D.09, subdivision 5, is amended to read:

Subd. 5. **Authorization; notification.** (a) Notwithstanding any other law to the contrary, an 11th or 12th grade pupil enrolled in a school or an American Indian-controlled Tribal contract or grant school eligible for aid under section 124D.83, except a foreign exchange pupil enrolled in a district under a cultural exchange program, may apply to an eligible institution, as defined in subdivision 3, to enroll in nonsectarian courses offered by that postsecondary institution.

(b) If an institution accepts a secondary pupil for enrollment under this section, the institution shall send written notice to the pupil, the pupil's school or school district, and the commissioner. The notice must indicate the course and hours of enrollment of that pupil. The institution must notify the pupil's school as soon as practicable if the pupil withdraws from the enrolled course. The institution must also notify the pupil's school as soon as practicable if the pupil has been absent from a course for ten consecutive days on which classes are held, based upon the postsecondary institution's academic calendar, and the pupil is not receiving instruction in their home or hospital or other facility.

(c) If the pupil enrolls in a course for postsecondary credit, the institution must notify:

(1) the pupil about payment in the customary manner used by the institution; ~~and,~~

(2) ~~the pupil's school as soon as practicable if the pupil withdraws from the course or stops attending the course.~~

2.24 Sec. 2. Minnesota Statutes 2023 Supplement, section 124D.094, subdivision 2, is amended
2.25 to read:

2.26 Subd. 2. **Digital instruction.** (a) An enrolling district may provide digital instruction,
2.27 including blended instruction and online instruction, to the district's own enrolled students.
2.28 Enrolling districts may establish agreements to provide digital instruction, including blended
2.29 instruction and online instruction, to students enrolled in the cooperating schools.

2.30 (b) When online instruction is provided, an online teacher as defined under subdivision
2.31 1, paragraph (h), shall perform all duties of teacher of record under Minnesota Rules, part
3.1 8710.0310. Unless the commissioner grants a waiver, a teacher providing online instruction
3.2 shall not instruct more than 40 students in any one online learning course or section.

3.3 (c) Students receiving online instruction full time shall be reported as enrolled in an
3.4 online instructional site under subdivision 1, paragraph (g).

3.5 (d) Curriculum used for digital instruction shall be aligned with Minnesota's current
3.6 academic standards and benchmarks.

3.7 (e) Digital instruction shall be accessible to students under ~~section~~ sections 504 and 508
3.8 of the federal Rehabilitation Act and Title II of the federal Americans with Disabilities Act.

3.9 (f) An enrolling district providing digital instruction and a supplemental online course
3.10 provider shall assist an enrolled student whose family qualifies for the education tax credit
3.11 under section 290.0674 to acquire computer hardware and educational software so they
3.12 may participate in digital instruction. Funds provided to a family to support digital instruction
3.13 or supplemental online courses may only be used for qualifying expenses as determined by
3.14 the provider. Nonconsumable materials purchased with public education funds remain the
3.15 property of the provider. Records for any funds provided must be available for review by
3.16 the public or the department.

3.17 (g) An enrolling district providing digital instruction shall establish and document
3.18 procedures for determining attendance for membership and keep accurate records of daily
3.19 attendance under section 120A.21.

3.20 Sec. 3. Minnesota Statutes 2023 Supplement, section 124D.094, subdivision 3, is amended
3.21 to read:

3.22 Subd. 3. **Supplemental online courses.** (a) Notwithstanding sections 124D.03 and
3.23 124D.08 and chapter 124E, procedures for applying to take supplemental online courses
3.24 other than those offered by the student's enrolling district are as provided in this subdivision.

3.25 (b) Any kindergarten through grade 12 student may apply to take a supplemental online
3.26 course under subdivision 1, paragraph (j). The student, or the student's parent or guardian
3.27 for a student under age 17, must submit an application for the proposed supplemental online
3.28 course or courses. A student may:

3.18 Sec. 4. Minnesota Statutes 2023 Supplement, section 124D.094, subdivision 2, is amended
3.19 to read:

3.20 Subd. 2. **Digital instruction.** (a) An enrolling district may provide digital instruction,
3.21 including blended instruction and online instruction, to the district's own enrolled students.
3.22 Enrolling districts may establish agreements to provide digital instruction, including blended
3.23 instruction and online instruction, to students enrolled in the cooperating schools.

3.24 (b) When online instruction is provided, an online teacher as defined under subdivision
3.25 1, paragraph (h), shall perform all duties of teacher of record under Minnesota Rules, part
3.26 8710.0310. Unless the commissioner grants a waiver, a teacher providing online instruction
3.27 shall not instruct more than 40 students in any one online learning course or section.

3.28 (c) Students receiving online instruction full time shall be reported as enrolled in an
3.29 online instructional site under subdivision 1, paragraph (g).

3.30 (d) Curriculum used for digital instruction shall be aligned with Minnesota's current
3.31 academic standards and benchmarks.

4.1 (e) Digital instruction shall be accessible to students under ~~section~~ sections 504 and 508
4.2 of the federal Rehabilitation Act and Title II of the federal Americans with Disabilities Act.

4.3 (f) An enrolling district providing digital instruction and a supplemental online course
4.4 provider shall assist an enrolled student whose family qualifies for the education tax credit
4.5 under section 290.0674 to acquire computer hardware and educational software so they
4.6 may participate in digital instruction. Funds provided to a family to support digital instruction
4.7 or supplemental online courses may only be used for qualifying expenses as determined by
4.8 the provider. Nonconsumable materials purchased with public education funds remain the
4.9 property of the provider. Records for any funds provided must be available for review by
4.10 the public or the department.

4.11 (g) An enrolling district providing digital instruction shall establish and document
4.12 procedures for determining attendance for membership and keep accurate records of daily
4.13 attendance under section 120A.21.

4.14 Sec. 5. Minnesota Statutes 2023 Supplement, section 124D.094, subdivision 3, is amended
4.15 to read:

4.16 Subd. 3. **Supplemental online courses.** (a) Notwithstanding sections 124D.03 and
4.17 124D.08 and chapter 124E, procedures for applying to take supplemental online courses
4.18 other than those offered by the student's enrolling district are as provided in this subdivision.

4.19 (b) Any kindergarten through grade 12 student may apply to take a supplemental online
4.20 course under subdivision 1, paragraph (j). The student, or the student's parent or guardian
4.21 for a student under age 17, must submit an application for the proposed supplemental online
4.22 course or courses. A student may:

3.29 (1) apply to take an online course from a supplemental online course provider that meets
3.30 or exceeds the academic standards of the course in the enrolling district they are replacing;

3.31 (2) apply to take supplemental online courses for up to 50 percent of the student's
3.32 scheduled course load; ~~and~~

4.1 (3) apply to take supplemental online courses no later than 15 school days after the
4.2 student's enrolling district's term has begun. An enrolling district may waive the 50 percent
4.3 course enrollment limit or the 15-day time limit; and

4.4 (4) enroll in additional courses with the online learning provider under a separate
4.5 agreement that includes terms for paying any tuition or course fees.

4.6 (c) A student taking a supplemental online course must have the same access to the
4.7 computer hardware and education software available in a school as all other students in the
4.8 enrolling district.

4.9 (d) A supplemental online course provider must have a current, approved application to
4.10 be listed by the Department of Education as an approved provider. The supplemental online
4.11 course provider must:

4.12 (1) use an application form specified by the Department of Education;

4.13 (2) notify the student, the student's guardian if they are age 17 or younger, and enrolling
4.14 district of the accepted application to take a supplemental online course within ten days of
4.15 receiving a completed application;

4.16 (3) notify the enrolling district of the course title, credits to be awarded, and the start
4.17 date of the online course. A supplemental online course provider must make the online
4.18 course syllabus available to the enrolling district;

4.19 (4) request applicable academic support information for the student, including a copy
4.20 of the IEP, EL support plan, or 504 plan; and

4.21 (5) track student attendance and monitor academic progress and communicate with the
4.22 student, the student's guardian if they are age 17 or younger, and the enrolling district's
4.23 designated online learning liaison.

4.24 (e) A supplemental online course provider may limit enrollment if the provider's school
4.25 board or board of directors adopts by resolution specific standards for accepting and rejecting
4.26 students' applications. The provisions may not discriminate against any protected class or
4.27 students with disabilities.

4.28 (f) A supplemental online course provider may request that the Department of Education
4.29 review an enrolling district's written decision to not accept a student's supplemental online
4.30 course application. The student may participate in the supplemental online course while the
4.31 application is under review. Decisions shall be final and binding for both the enrolling
4.32 district and the supplemental online course provider.

4.23 (1) apply to take an online course from a supplemental online course provider that meets
4.24 or exceeds the academic standards of the course in the enrolling district they are replacing;

4.25 (2) apply to take supplemental online courses for up to 50 percent of the student's
4.26 scheduled course load; ~~and~~

4.27 (3) apply to take supplemental online courses no later than 15 school days after the
4.28 student's enrolling district's term has begun. An enrolling district may waive the 50 percent
4.29 course enrollment limit or the 15-day time limit; and

4.30 (4) enroll in additional courses with the online learning provider under a separate
4.31 agreement that includes terms for paying any tuition or course fees.

5.1 (c) A student taking a supplemental online course must have the same access to the
5.2 computer hardware and education software available in a school as all other students in the
5.3 enrolling district.

5.4 (d) A supplemental online course provider must have a current, approved application to
5.5 be listed by the Department of Education as an approved provider. The supplemental online
5.6 course provider must:

5.7 (1) use an application form specified by the Department of Education;

5.8 (2) notify the student, the student's guardian if they are age 17 or younger, and enrolling
5.9 district of the accepted application to take a supplemental online course within ten days of
5.10 receiving a completed application;

5.11 (3) notify the enrolling district of the course title, credits to be awarded, and the start
5.12 date of the online course. A supplemental online course provider must make the online
5.13 course syllabus available to the enrolling district;

5.14 (4) request applicable academic support information for the student, including a copy
5.15 of the IEP, EL support plan, or 504 plan; and

5.16 (5) track student attendance and monitor academic progress and communicate with the
5.17 student, the student's guardian if they are age 17 or younger, and the enrolling district's
5.18 designated online learning liaison.

5.19 (e) A supplemental online course provider may limit enrollment if the provider's school
5.20 board or board of directors adopts by resolution specific standards for accepting and rejecting
5.21 students' applications. The provisions may not discriminate against any protected class or
5.22 students with disabilities.

5.23 (f) A supplemental online course provider may request that the Department of Education
5.24 review an enrolling district's written decision to not accept a student's supplemental online
5.25 course application. The student may participate in the supplemental online course while the
5.26 application is under review. Decisions shall be final and binding for both the enrolling
5.27 district and the supplemental online course provider.

5.1 (g) A supplemental online course provider must participate in continuous improvement
5.2 cycles with the Department of Education.

5.3 Sec. 4. Minnesota Statutes 2023 Supplement, section 126C.40, subdivision 6, is amended
5.4 to read:

5.5 Subd. 6. **Lease purchase; installment buys.** (a) Upon application to, and approval by,
5.6 the commissioner in accordance with the procedures and limits in subdivision 1, paragraphs
5.7 (a) and (b), a district, as defined in this subdivision, may:

5.8 (1) purchase real or personal property under an installment contract or may lease real
5.9 or personal property with an option to purchase under a lease purchase agreement, by which
5.10 installment contract or lease purchase agreement title is kept by the seller or vendor or
5.11 assigned to a third party as security for the purchase price, including interest, if any; and

5.12 (2) annually levy the amounts necessary to pay the district's obligations under the
5.13 installment contract or lease purchase agreement.

5.14 (b) The obligation created by the installment contract or the lease purchase agreement
5.15 must not be included in the calculation of net debt for purposes of section 475.53, and does
5.16 not constitute debt under other law. An election is not required in connection with the
5.17 execution of the installment contract or the lease purchase agreement.

5.18 (c) The proceeds of the levy authorized by this subdivision must not be used to acquire
5.19 a facility to be primarily used for athletic or school administration purposes.

5.28 (g) A supplemental online course provider must participate in continuous improvement
5.29 cycles with the Department of Education.

6.1 Sec. 6. Minnesota Statutes 2022, section 124D.12, is amended to read:

6.2 **124D.12 PURPOSE OF FLEXIBLE LEARNING YEAR PROGRAMS.**

6.3 Sections 124D.12 to 124D.127 authorize districts to evaluate, plan and employ the use
6.4 of flexible learning year programs. It is anticipated that the open selection of the type of
6.5 flexible learning year operation from a variety of alternatives will allow each district seeking
6.6 to utilize this concept to suitably fulfill the educational needs of its pupils. These alternatives
6.7 must include, but not be limited to, various 45-15 plans, four-quarter plans, quinmester
6.8 plans, extended learning year plans, and flexible all-year plans. ~~A school district with an~~
6.9 ~~approved four-day week plan in the 2014-2015 school year may continue under a four-day~~
6.10 ~~week plan through the end of the 2019-2020 school year. Future approvals are contingent~~
6.11 ~~upon meeting the school district's performance goals established in the district's plan under~~
6.12 ~~section 120B.11.~~ The commissioner must establish clear criteria for evaluating a district's
6.13 application to use a four-day school week plan, at least annually accept district applications
6.14 to use a four-day school week plan, and determine whether each application meets the
6.15 criteria. The commissioner must give a school district one school year's notice before
6.16 revoking approval of its flexible learning year program. Approval of a four-day school week
6.17 plan may not be revoked for six years from the date it is granted.

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

6.19 Sec. 7. Minnesota Statutes 2023 Supplement, section 126C.40, subdivision 6, is amended
6.20 to read:

6.21 Subd. 6. **Lease purchase; installment buys.** (a) Upon application to, and approval by,
6.22 the commissioner in accordance with the procedures and limits in subdivision 1, paragraphs
6.23 (a) and (b), a district, as defined in this subdivision, may:

6.24 (1) purchase real or personal property under an installment contract or may lease real
6.25 or personal property with an option to purchase under a lease purchase agreement, by which
6.26 installment contract or lease purchase agreement title is kept by the seller or vendor or
6.27 assigned to a third party as security for the purchase price, including interest, if any; and

6.28 (2) annually levy the amounts necessary to pay the district's obligations under the
6.29 installment contract or lease purchase agreement.

6.30 (b) The obligation created by the installment contract or the lease purchase agreement
6.31 must not be included in the calculation of net debt for purposes of section 475.53, and does
6.32 not constitute debt under other law. An election is not required in connection with the
6.33 execution of the installment contract or the lease purchase agreement.

7.1 (c) The proceeds of the levy authorized by this subdivision must not be used to acquire
7.2 a facility to be primarily used for athletic or school administration purposes.

5.20 (d) For the purposes of this subdivision, "district" means:

5.21 (1) Special School District No. 1, Minneapolis, Independent School District No. 625,

5.22 St. Paul, Independent School District No. 709, Duluth, or Independent School District No.

5.23 535, Rochester, if the district's ~~desegregation~~ achievement and integration plan has been

5.24 determined by the commissioner to be in compliance with Department of Education rules

5.25 relating to equality of educational opportunity and where the acquisition, as defined in

5.26 section 475.51, subdivision 7, of property under this subdivision is determined approved

5.27 in the form and manner prescribed by the commissioner to contribute to the implementation

5.28 of the ~~desegregation~~ approved achievement and integration plan; or

5.29 (2) other districts eligible for revenue under section 124D.862 if the facility acquired

5.30 under this subdivision is to be primarily used for a joint program ~~for interdistrict~~

5.31 ~~desegregation~~ and the commissioner determines ~~that the joint programs are~~ is being

5.32 undertaken to implement the districts' ~~desegregation~~ approved achievement and integration

5.33 plan.

6.1 (e) Notwithstanding subdivision 1, the prohibition against a levy by a district to lease

6.2 or rent a district-owned building to itself does not apply to levies otherwise authorized by

6.3 this subdivision.

6.4 (f) For the purposes of this subdivision, any references in subdivision 1 to building or

6.5 land shall include personal property.

6.6 (g) Projects funded under this subdivision are subject to review and comment under

6.7 section 123B.71, subdivision 8, in the ~~same manner as other school construction projects~~

6.8 form and manner prescribed by the commissioner.

6.9 Sec. 5. **REVISOR INSTRUCTION.**

6.10 The revisor of statutes shall remove the term "state-approved" wherever it appears in

6.11 Minnesota Statutes, sections 125A.15, 125A.51, and 125A.515, for education in care and

6.12 treatment facilities.

7.3 (d) For the purposes of this subdivision, "district" means:

7.4 (1) Special School District No. 1, Minneapolis, Independent School District No. 625,

7.5 St. Paul, Independent School District No. 709, Duluth, or Independent School District No.

7.6 535, Rochester, if the district's ~~desegregation~~ achievement and integration plan has been

7.7 determined by the commissioner to be in compliance with Department of Education rules

7.8 relating to equality of educational opportunity and where the acquisition, as defined in

7.9 section 475.51, subdivision 7, of property under this subdivision is determined by the

7.10 commissioner to contribute to the implementation of the ~~desegregation~~ approved achievement

7.11 and integration plan; or

7.12 (2) other districts eligible for revenue under section 124D.862 if the facility acquired

7.13 under this subdivision is to be primarily used for a joint program ~~for interdistrict~~

7.14 ~~desegregation~~ and the commissioner determines ~~that the joint programs are~~ is being

7.15 undertaken to implement the districts' ~~desegregation~~ approved achievement and integration

7.16 plan.

7.17 (e) Notwithstanding subdivision 1, the prohibition against a levy by a district to lease

7.18 or rent a district-owned building to itself does not apply to levies otherwise authorized by

7.19 this subdivision.

7.20 (f) For the purposes of this subdivision, any references in subdivision 1 to building or

7.21 land shall include personal property.

7.22 (g) Projects funded under this subdivision are subject to review and comment under

7.23 section 123B.71, subdivision 8, in the ~~same manner as other school construction projects~~

7.24 form and manner prescribed by the commissioner.

NOTE: FOR HOUSE LANGUAGE IN UES3567-1, ARTICLE 1, SECTION 8,
SEE COMPARISON TO SENATE LANGUAGE IN S3567-2, ARTICLE 2,
SECTION 24.

8.1 Sec. 9. **REVISOR INSTRUCTION.**

8.2 The revisor of statutes shall remove the term "state-approved" wherever it appears in

8.3 Minnesota Statutes, sections 125A.15, 125A.51, and 125A.515, for education in care and

8.4 treatment facilities.