

1.1 Senator ..... moves to amend S.F. No. 2744 as follows:

1.2 Delete everything after the enacting clause and insert:

1.3 "ARTICLE 1

1.4 GENERAL EDUCATION

1.5 Section 1. Minnesota Statutes 2014, section 123A.24, subdivision 2, is amended to read:

1.6 Subd. 2. **Cooperative unit defined.** For the purposes of this section, a cooperative  
1.7 unit is:

1.8 (1) an education district organized under sections 123A.15 to 123A.19;

1.9 (2) a cooperative vocational center organized under section 123A.22;

1.10 (3) an intermediate district organized under chapter 136D;

1.11 (4) a service cooperative organized under section 123A.21; ~~or~~

1.12 (5) a regional management information center organized under section 123A.23 or

1.13 as a joint powers district according to section 471.59.; or

1.14 (6) a special education cooperative organized under section 471.59.

1.15 Sec. 2. **VOLUNTARY BOUNDARY ALIGNMENT; MOORHEAD AND**  
1.16 **DILWORTH-GLYNDON-FELTON.**

1.17 Subdivision 1. **Boundary realignment allowed.** The school boards of Independent  
1.18 School Districts Nos. 152, Moorhead, and 2164, Dilworth-Glyndon-Felton, may realign  
1.19 their shared district boundaries according to the provisions of this section.

1.20 Subd. 2. **Plan to establish new boundaries.** (a) The school boards of Independent  
1.21 School Districts Nos. 152, Moorhead, and 2164, Dilworth-Glyndon-Felton, may jointly  
1.22 develop a plan to realign their shared school district boundaries over a period of years.

1.23 (b) The plan must specify and identify each group of parcels that will be transferred  
1.24 and the method used to determine the year during which each set of parcels is transferred.  
1.25 The method of transfer may include an analysis of the relative tax base of the parcels to  
1.26 be transferred and may make the transfers of parcels effective upon the relationship in  
1.27 relative tax bases.

1.28 (c) The written plan must be adopted by each school board after the board has  
1.29 allowed public testimony on the plan.

1.30 (d) The plan must be filed with both the county auditor and the commissioner of  
1.31 education.

1.32 (e) After adopting the plan, each school board must publish notice of the plan  
1.33 realigning district boundaries. The notice must include a general description of the area

2.1 that will be affected by the proposed boundary alignment and the method by which the  
2.2 boundaries will be realigned. The notice must also be mailed to each property owner of  
2.3 record in the area proposed for realignment.

2.4 Subd. 3. **Bonded debt.** As of the effective date of each exchange of parcels between  
2.5 the two school districts, for the next and subsequent tax years, the taxable property in the  
2.6 newly aligned parcel is taxable for a portion of the bonded debt of the school district to  
2.7 which the property is attached and is not taxable for the bonded debt from the school  
2.8 district from which the property is detached.

2.9 Subd. 4. **County auditor notified.** After adoption of the plan, each school board  
2.10 must provide a copy of the plan to the county auditor. The county auditor may request  
2.11 any other necessary information from the school districts to affect the transfer of parcels  
2.12 between the school districts. Each year, the school districts must notify the county auditor  
2.13 of what block of parcels, if any, will be transferred between the two school districts. The  
2.14 county auditor must notify each affected property owner of the boundary change.

2.15 Subd. 5. **Report to Department of Education.** Upon adoption of the plan, the  
2.16 school boards must submit a copy of the plan to the Department of Education. The districts  
2.17 must also provide any additional information necessary for computing school aids and  
2.18 levies to the Department of Education in the form and manner requested by the department.

2.19 **EFFECTIVE DATE.** This section is effective the day after the school boards of  
2.20 Independent School Districts Nos. 152, Moorhead, and 2164, Dilworth-Glyndon-Felton,  
2.21 and their respective chief clerical officers timely comply with Minnesota Statutes, section  
2.22 645.021, subdivisions 2 and 3.

2.23 Sec. 3. **REPEALER.**

2.24 Minnesota Statutes 2014, section 127A.51, is repealed, effective July 1, 2016.

## 2.25 **ARTICLE 2**

### 2.26 **EDUCATION EXCELLENCE**

2.27 Section 1. Minnesota Statutes 2014, section 120B.11, subdivision 1a, is amended to  
2.28 read:

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

2.31 (1) ~~student performance on the National Assessment of Education Progress where~~  
2.32 ~~applicable;~~

3.1 ~~(2)~~ (1) the size of the academic achievement gap, rigorous course taking under  
 3.2 section 120B.35, subdivision 3, paragraph (c), clause (2), and enrichment experiences by  
 3.3 student subgroup;

3.4 ~~(3)~~ (2) student performance on the Minnesota Comprehensive Assessments;

3.5 ~~(4)~~ (3) high school graduation rates; and

3.6 ~~(5)~~ (4) career and college readiness under section 120B.30, subdivision 1.

3.7 Sec. 2. Minnesota Statutes 2014, section 120B.11, subdivision 2, is amended to read:

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

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

3.14 (2) a process for assessing and evaluating each student's progress toward meeting  
 3.15 state and local academic standards, assessing and identifying students for participation in  
 3.16 gifted and talented programs and acceleration and early-admission procedures consistent  
 3.17 with section 120B.15, and identifying the strengths and weaknesses of instruction in  
 3.18 pursuit of student and school success and curriculum affecting students' progress and  
 3.19 growth toward career and college readiness and leading to the world's best workforce;

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

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

3.27 (5) a process to examine the equitable distribution of teachers and strategies to  
 3.28 ensure that low-income and minority children are not taught at higher rates than other  
 3.29 children by inexperienced, ineffective, or out-of-field teachers, consistent with section  
 3.30 1111(b)(8)(C) of the Elementary and Secondary Education Act;

3.31 ~~(5)~~ (6) education effectiveness practices that integrate high-quality instruction,  
 3.32 rigorous curriculum, technology, and a collaborative professional culture that develops  
 3.33 and supports teacher quality, performance, and effectiveness; and

3.34 ~~(6)~~ (7) an annual budget for continuing to implement the district plan.

4.1 Sec. 3. Minnesota Statutes 2014, section 120B.11, subdivision 4, is amended to read:

4.2 Subd. 4. **Site team.** A school ~~may~~ must establish a site team to develop and  
4.3 implement strategies and education effectiveness practices to improve instruction,  
4.4 curriculum, cultural competencies, including cultural awareness and cross-cultural  
4.5 communication, and student achievement at the school site, consistent with subdivision  
4.6 2. The site team must include an equal number of teachers and administrators, as well  
4.7 as at least one parent. The site team advises the board and the advisory committee  
4.8 about developing the annual budget ~~and revising;~~ creates an instruction and curriculum  
4.9 improvement plan that aligns curriculum, assessment of student progress, and growth in  
4.10 meeting state and district academic standards and instruction; and coordinates with other  
4.11 district site teams to select the standardized assessments that the school will administer  
4.12 to students, in addition to required assessments under section 120B.30, and applicable  
4.13 federal law.

4.14 Sec. 4. Minnesota Statutes 2014, section 120B.11, subdivision 5, is amended to read:

4.15 Subd. 5. **Report.** Consistent with requirements for school performance reports  
4.16 under section 120B.36, subdivision 1, the school board shall publish a report in the local  
4.17 newspaper with the largest circulation in the district, by mail, or by electronic means on the  
4.18 district Web site. The school board shall hold an annual public meeting to review, and revise  
4.19 where appropriate; (1) student achievement goals; (2) local assessment outcomes; (3)  
4.20 plans, strategies, and practices for improving curriculum and instruction and; (4) cultural  
4.21 competency; (5) the process to examine equitable distribution of effective, experienced,  
4.22 and in-field teachers; ~~and to review~~ (6) district success in realizing the previously adopted  
4.23 student achievement goals and related benchmarks and the improvement plans leading to  
4.24 the world's best workforce. The school board must transmit an electronic summary of its  
4.25 report to the commissioner in the form and manner the commissioner determines.

4.26 Sec. 5. Minnesota Statutes 2014, section 120B.12, subdivision 3, is amended to read:

4.27 Subd. 3. **Intervention.** For each student identified under subdivision 2, the  
4.28 district shall provide reading intervention to accelerate student growth and reach the  
4.29 goal of reading at or above grade level by the end of the current grade and school year.  
4.30 District intervention methods shall encourage family engagement and, where possible,  
4.31 collaboration with appropriate school and community programs. Intervention methods  
4.32 may include, but are not limited to, requiring attendance in summer school, intensified  
4.33 reading instruction that may require that the student be removed from the regular classroom  
4.34 for part of the school day, extended-day programs, or programs that strengthen students'

5.1 cultural connections. A student, other than a student under an individualized education  
5.2 program (IEP), who is unable to demonstrate grade-level proficiency as measured by the  
5.3 statewide reading assessment in grade 3 shall receive a personal learning plan in a format  
5.4 determined by the school or school district in consultation with classroom teachers, and  
5.5 developed and updated as needed in consultation, to the extent practicable, with the student  
5.6 and the student's parents by the classroom teachers and other qualified school professionals  
5.7 involved with the student's elementary school progress. A personal learning plan shall  
5.8 address knowledge gaps and skill deficiencies through strategies such as specific exercises  
5.9 and practices during and outside of the regular school days, periodic assessments and  
5.10 timelines, and may include grade retention, if necessary, to meet the student's best interests.

5.11 Sec. 6. Minnesota Statutes 2015 Supplement, section 120B.125, is amended to read:

5.12 **120B.125 PLANNING FOR STUDENTS' SUCCESSFUL TRANSITION**  
5.13 **TO POSTSECONDARY EDUCATION AND EMPLOYMENT; PERSONAL**  
5.14 **LEARNING PLANS.**

5.15 (a) Consistent with sections 120B.13, 120B.131, 120B.132, 120B.14, 120B.15,  
5.16 120B.30, subdivision 1, paragraph (c), 125A.08, and other related sections, school  
5.17 districts, beginning in the 2013-2014 school year, must assist all students by no later  
5.18 than grade 9 to explore their educational, college, and career interests, aptitudes, and  
5.19 aspirations and develop a plan for a smooth and successful transition to postsecondary  
5.20 education or employment. All students' plans must:

5.21 (1) provide a comprehensive plan to prepare for and complete a career and college  
5.22 ready curriculum by meeting state and local academic standards and developing career and  
5.23 employment-related skills such as team work, collaboration, creativity, communication,  
5.24 critical thinking, and good work habits;

5.25 (2) emphasize academic rigor and high expectations, and inform the student and  
5.26 their parent or guardian, if the student is a minor, of the student's achievement level score  
5.27 on the Minnesota Comprehensive Assessments that are administered during high school;

5.28 (3) help students identify interests, aptitudes, aspirations, and personal learning  
5.29 styles that may affect their career and college ready goals and postsecondary education  
5.30 and employment choices;

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

5.33 (5) help students access education and career options;

6.1 (6) integrate strong academic content into career-focused courses and applied and  
6.2 experiential learning opportunities and integrate relevant career-focused courses and  
6.3 applied and experiential learning opportunities into strong academic content;

6.4 (7) help identify and access appropriate counseling and other supports and assistance  
6.5 that enable students to complete required coursework, prepare for postsecondary education  
6.6 and careers, and obtain information about postsecondary education costs and eligibility  
6.7 for financial aid and scholarship;

6.8 (8) help identify collaborative partnerships among prekindergarten through grade  
6.9 12 schools, postsecondary institutions, economic development agencies, and local and  
6.10 regional employers that support students' transition to postsecondary education and  
6.11 employment and provide students with applied and experiential learning opportunities; and

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

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

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

6.26 (d) When assisting students in developing a plan for a smooth and successful  
6.27 transition to postsecondary education and employment, districts must recognize the unique  
6.28 possibilities of each student and ensure that the contents of each student's plan reflect the  
6.29 student's unique talents, skills, and abilities as the student grows, develops, and learns.

6.30 (e) Students who do not meet or exceed Minnesota academic standards, as measured  
6.31 by the Minnesota Comprehensive Assessments that are administered during high school,  
6.32 shall be informed that admission to a public school is free and available to any resident  
6.33 under 21 years of age or who meets the requirements of section 120A.20, subdivision 1,  
6.34 paragraph (c). A student's plan under this section shall continue while the student is  
6.35 enrolled.

7.1 Sec. 7. Minnesota Statutes 2014, section 120B.15, is amended to read:

7.2 **120B.15 GIFTED AND TALENTED STUDENTS PROGRAMS.**

7.3 (a) School districts may identify students, locally develop programs addressing  
7.4 instructional and affective needs, provide staff development, and evaluate programs to  
7.5 provide gifted and talented students with challenging and appropriate educational programs.

7.6 (b) School districts must adopt guidelines for assessing and identifying students for  
7.7 participation in gifted and talented programs consistent with section 120B.11, subdivision  
7.8 2, clause (2). The guidelines should include the use of:

7.9 (1) multiple and objective criteria; and

7.10 (2) assessments and procedures that are valid and reliable, fair, and based on current  
7.11 theory and research. Assessments and procedures should be sensitive to underrepresented  
7.12 groups, including, but not limited to, low-income, minority, twice-exceptional, and  
7.13 English learners.

7.14 (c) School districts must adopt procedures for the academic acceleration of gifted  
7.15 and talented students consistent with section 120B.11, subdivision 2, clause (2). These  
7.16 procedures must include how the district will:

7.17 (1) assess a student's readiness and motivation for acceleration; and

7.18 (2) match the level, complexity, and pace of the curriculum to a student to achieve  
7.19 the best type of academic acceleration for that student.

7.20 (d) School districts must adopt procedures consistent with section 124D.02,  
7.21 subdivision 1, for early admission to kindergarten or first grade of gifted and talented  
7.22 learners consistent with section 120B.11, subdivision 2, clause (2). The procedures must  
7.23 be sensitive to underrepresented groups.

7.24 Sec. 8. Minnesota Statutes 2014, section 120B.30, is amended by adding a subdivision  
7.25 to read:

7.26 Subd. 6. **Retaliation prohibited.** A report to the commissioner concerning service  
7.27 disruptions and technical interruptions to the assessments under this section is subject to  
7.28 the protection of section 181.932, governing disclosure of information by employees.

7.29 Sec. 9. Minnesota Statutes 2015 Supplement, section 120B.301, is amended to read:

7.30 **120B.301 LIMITS ON LOCAL TESTING.**

7.31 (a) For students in grades 1 through 6, the cumulative total amount of time spent  
7.32 taking locally adopted districtwide or schoolwide assessments must not exceed ten hours  
7.33 per school year. For students in grades 7 through 12, the cumulative total amount of time  
7.34 spent taking locally adopted districtwide or schoolwide assessments must not exceed 11

8.1 hours per school year. For purposes of this paragraph, International Baccalaureate and  
8.2 Advanced Placement exams are not considered locally adopted assessments.

8.3 (b) A district or charter school is exempt from the requirements of paragraph (a),  
8.4 if the district or charter school, in consultation with the exclusive representative of the  
8.5 teachers or other teachers if there is no exclusive representative of the teachers, decides  
8.6 to exceed a time limit in paragraph (a) and includes in the report required under section  
8.7 120B.11, subdivision 5.

8.8 (c) A district or charter school must, prior to the first day of each school year, publish  
8.9 on its Web site a comprehensive calendar of standardized tests to be administered in the  
8.10 district or charter school for that school year. The calendar must provide the rationale for  
8.11 administering each assessment and indicate whether the assessment is a local option, or is  
8.12 required by state or federal law.

8.13 Sec. 10. Minnesota Statutes 2014, section 120B.31, is amended by adding a  
8.14 subdivision to read:

8.15 Subd. 4a. **Student participation.** The commissioner shall create and publish a  
8.16 form for a parent or guardian to complete if they refuse for their child to participate in  
8.17 standardized testing. The form must state why there are academic standards, indicate  
8.18 which tests are aligned with those standards, and what consequences, if any, the school  
8.19 may face if students do not participate in standardized testing. This form must request  
8.20 a reason for the refusal.

8.21 Sec. 11. Minnesota Statutes 2014, section 120B.31, subdivision 5, is amended to read:

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

8.29 Sec. 12. Minnesota Statutes 2014, section 120B.35, subdivision 1, is amended to read:

8.30 Subdivision 1. **School and student indicators of growth and achievement.**  
8.31 The commissioner must develop and implement a system for measuring and reporting  
8.32 academic achievement and individual student growth, consistent with the statewide  
8.33 educational accountability and reporting system. The system components must measure



9.1 and separately report the ~~adequate yearly progress~~ federal expectations of schools and the  
9.2 growth of individual students: students' current achievement in schools under subdivision  
9.3 2; and individual students' educational growth over time under subdivision 3. The  
9.4 system also must include statewide measures of student academic growth that identify  
9.5 schools with high levels of growth, and also schools with low levels of growth that need  
9.6 improvement. When determining a school's effect, the data must include both statewide  
9.7 measures of student achievement and, to the extent annual tests are administered,  
9.8 indicators of achievement growth that take into account a student's prior achievement.  
9.9 Indicators of achievement and prior achievement must be based on highly reliable  
9.10 statewide or districtwide assessments. Indicators that take into account a student's prior  
9.11 achievement must not be used to disregard a school's low achievement or to exclude a  
9.12 school from a program to improve low achievement levels.

9.13 Sec. 13. Minnesota Statutes 2014, section 120B.35, subdivision 2, is amended to read:

9.14 Subd. 2. **Federal expectations for student academic achievement.** (a) Each  
9.15 school year, a school district must determine if the student achievement levels at each  
9.16 school site meet federal expectations. If student achievement levels at a school site do  
9.17 not meet federal expectations ~~and the site has not made adequate yearly progress for two~~  
9.18 ~~consecutive school years, beginning with the 2001-2002 school year,~~ the district must  
9.19 work with the school site to adopt a plan to raise student achievement levels to meet  
9.20 federal expectations. The commissioner of education shall establish student academic  
9.21 achievement levels to comply with this paragraph.

9.22 (b) School sites identified as not meeting federal expectations must develop  
9.23 continuous improvement plans in order to meet federal expectations for student academic  
9.24 achievement. The department, at a district's request, must assist the district and the school  
9.25 site in developing a plan to improve student achievement. The plan must include parental  
9.26 involvement components.

9.27 (c) The commissioner must:

9.28 (1) assist school sites and districts identified as not meeting federal expectations; and  
9.29 (2) provide technical assistance to schools that integrate student achievement  
9.30 measures into the school continuous improvement plan.

9.31 (d) The commissioner shall establish and maintain a continuous improvement Web  
9.32 site designed to make data on every school and district available to parents, teachers,  
9.33 administrators, community members, and the general public.

9.34 Sec. 14. Minnesota Statutes 2014, section 120B.35, subdivision 3, is amended to read:

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

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

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

10.16           (2) for all student categories, report and compare aggregated and disaggregated  
10.17 state growth data using ~~the nine student categories identified under the federal 2001 No~~  
10.18 ~~Child Left Behind Act~~ the student categories identified under the federal Elementary  
10.19 and Secondary Education Act and two student gender categories of male and female,  
10.20 respectively, following appropriate reporting practices to protect nonpublic student data.

10.21           The commissioner must report measures of student growth, consistent with this  
10.22 paragraph, including the English language development, academic progress, and oral  
10.23 academic development of English learners and their native language development if the  
10.24 native language is used as a language of instruction.

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

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

10.34           (2) a rigorous coursework measure indicating the number and percentage of high  
10.35 school graduates in the most recent school year who successfully completed one or more  
10.36 college-level advanced placement, international baccalaureate, postsecondary enrollment

11.1 options including concurrent enrollment, other rigorous courses of study under section  
11.2 120B.021, subdivision 1a, or industry certification courses or programs.

11.3 When reporting the core measures under clauses (1) and (2), the commissioner must also  
11.4 analyze and report separate categories of information using ~~the nine student categories~~  
11.5 ~~identified under the federal 2001 No Child Left Behind Act~~ the student categories  
11.6 identified under the federal Elementary and Secondary Education Act and two student  
11.7 gender categories of male and female, respectively, following appropriate reporting  
11.8 practices to protect nonpublic student data.

11.9 (d) When reporting student performance under section 120B.36, subdivision 1, the  
11.10 commissioner annually, beginning July 1, 2014, must report summary data on school  
11.11 safety and students' engagement and connection at school. The summary data under this  
11.12 paragraph are separate from and must not be used for any purpose related to measuring  
11.13 or evaluating the performance of classroom teachers. The commissioner, in consultation  
11.14 with qualified experts on student engagement and connection and classroom teachers,  
11.15 must identify highly reliable variables that generate summary data under this paragraph.  
11.16 The summary data may be used at school, district, and state levels only. Any data on  
11.17 individuals received, collected, or created that are used to generate the summary data  
11.18 under this paragraph are nonpublic data under section 13.02, subdivision 9.

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

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

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

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

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

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

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

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

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

12.1 (f) The commissioner, in consultation with recognized experts with knowledge and  
12.2 experience in assessing the language proficiency and academic performance of English  
12.3 learners, must identify and report appropriate and effective measures to improve current  
12.4 categories of language difficulty and assessments, and monitor and report data on students'  
12.5 English proficiency levels, program placement, and academic language development,  
12.6 including oral academic language.

12.7 Sec. 15. Minnesota Statutes 2014, section 120B.35, subdivision 4, is amended to read:

12.8 Subd. 4. **Improving schools.** Consistent with the requirements of this section,  
12.9 beginning June 20, 2012, the commissioner of education must annually report to the  
12.10 public and the legislature best practices implemented in those schools that ~~demonstrate~~  
12.11 high growth compared to the state growth target are identified as high performing under  
12.12 federal expectations.

12.13 Sec. 16. Minnesota Statutes 2014, section 120B.36, as amended by Laws 2015, First  
12.14 Special Session chapter 3, article 2, section 8, is amended to read:

12.15 **120B.36 SCHOOL ACCOUNTABILITY; APPEALS PROCESS.**

12.16 Subdivision 1. **School performance reports.** (a) The commissioner shall report  
12.17 student academic performance under section 120B.35, subdivision 2; the percentages of  
12.18 students showing low, medium, and high growth under section 120B.35, subdivision  
12.19 3, paragraph (b); school safety and student engagement and connection under section  
12.20 120B.35, subdivision 3, paragraph (d); rigorous coursework under section 120B.35,  
12.21 subdivision 3, paragraph (c); the percentage of students under section 120B.35,  
12.22 subdivision 3, paragraph (b), clause (2), whose progress and performance levels are  
12.23 meeting career and college readiness benchmarks under sections 120B.30, subdivision 1,  
12.24 and 120B.35, subdivision 3, paragraph (e); longitudinal data on the progress of eligible  
12.25 districts in reducing disparities in students' academic achievement and realizing racial  
12.26 and economic integration under section 124D.861; the acquisition of English, and  
12.27 where practicable, native language academic literacy, including oral academic language,  
12.28 and the academic progress of English learners under section 124D.59, subdivisions  
12.29 2 and 2a; two separate student-to-teacher ratios that clearly indicate the definition of  
12.30 teacher consistent with sections 122A.06 and 122A.15 for purposes of determining these  
12.31 ratios; staff characteristics excluding salaries; student enrollment demographics; student  
12.32 homelessness and district mobility; and extracurricular activities. The report also must  
12.33 indicate a school's ~~adequate yearly progress~~ status under applicable federal law, ~~and must~~

13.1 ~~not set any designations applicable to high- and low-performing schools due solely to~~  
13.2 ~~adequate yearly progress status.~~

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

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

13.7 (d) A school or district may appeal its ~~adequate yearly progress status in writing~~  
13.8 ~~to the commissioner within 30 days of receiving the notice of its status~~ results in a form  
13.9 and manner determined by the commissioner and consistent with federal law. The  
13.10 commissioner's decision to uphold or deny an appeal is final.

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

13.16 Subd. 2. ~~Adequate yearly progress~~ **Federal expectations and other data.** All  
13.17 data the department receives, collects, or creates to determine ~~adequate yearly progress~~  
13.18 ~~status~~ federal expectations under ~~Public Law 107-110, section 1116~~ the Elementary  
13.19 and Secondary Education Act, set state growth targets, and determine student growth  
13.20 are nonpublic data under section 13.02, subdivision 9, until the commissioner publicly  
13.21 releases the data. Districts must provide parents sufficiently detailed summary data  
13.22 to permit parents to appeal under ~~Public Law 107-110, section 1116(b)(2)~~ the federal  
13.23 Elementary and Secondary Education Act. The commissioner shall annually post ~~federal~~  
13.24 ~~adequate yearly progress~~ data on federal expectations and state student growth data to  
13.25 the department's public Web site no later than September 1, except that in years when  
13.26 ~~adequate yearly progress~~ data on federal expectations reflects new performance standards,  
13.27 the commissioner shall post ~~federal adequate yearly progress~~ data on federal expectations  
13.28 and state student growth data no later than October 1.

13.29 Sec. 17. Minnesota Statutes 2014, section 122A.16, is amended to read:

13.30 **122A.16 HIGHLY QUALIFIED TEACHER DEFINED.**

13.31 (a) A qualified teacher is one holding a valid license, under this chapter, to perform  
13.32 the particular service for which the teacher is employed in a public school.

13.33 (b) ~~For the purposes of the federal No Child Left Behind Act, a highly qualified~~  
13.34 ~~teacher is one who holds a valid license under this chapter, including under section~~  
13.35 ~~122A.245, among other sections and is determined by local administrators as having~~

14.1 ~~highly qualified status according to the approved Minnesota highly qualified plan.~~  
 14.2 ~~Teachers delivering core content instruction must be deemed highly qualified at the local~~  
 14.3 ~~level and reported to the state via the staff automated reporting system.~~

14.4 Sec. 18. Minnesota Statutes 2015 Supplement, section 122A.30, is amended to read:

14.5 **122A.30 EXEMPTION FOR TECHNICAL EDUCATION INSTRUCTORS.**

14.6 (a) Notwithstanding section 122A.15, subdivision 1, and upon approval of the local  
 14.7 employer school board, a person who teaches ~~in~~ as a part-time ~~vocational or~~ career and  
 14.8 technical education ~~program~~ teacher is exempt from a license requirement. Nothing in  
 14.9 this section shall exclude licensed career and technical educators from the definition of  
 14.10 "teacher" in section 122A.40, 122A.41, or 179A.03.

14.11 (b) This section expires June 30, 2020.

14.12 Sec. 19. Minnesota Statutes 2015 Supplement, section 122A.414, subdivision 1,  
 14.13 is amended to read:

14.14 Subdivision 1. **Restructured pay system.** A restructured alternative teacher  
 14.15 professional pay system is established under subdivision 2 to provide incentives to  
 14.16 encourage teachers to improve their knowledge and instructional skills in order to improve  
 14.17 student learning and for school districts, intermediate school districts, cooperative units,  
 14.18 as defined in section 123A.24, subdivision 2, and charter schools to recruit and retain  
 14.19 ~~highly~~ qualified teachers, encourage ~~highly~~ qualified teachers to undertake challenging  
 14.20 assignments, and support teachers' roles in improving students' educational achievement.

14.21 Sec. 20. Minnesota Statutes 2015 Supplement, section 122A.414, subdivision 2,  
 14.22 is amended to read:

14.23 Subd. 2. **Alternative teacher professional pay system.** (a) To participate in this  
 14.24 program, a school district, intermediate school district, school site, or charter school must  
 14.25 ~~have an educational improvement plan under section 122A.413~~ a World's Best Workforce  
 14.26 plan under section 120B.11 and an alternative teacher professional pay system agreement  
 14.27 under paragraph (b). A charter school participant also must comply with subdivision 2a.

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

14.29 (1) describe how teachers can achieve career advancement and additional  
 14.30 compensation;

14.31 (2) describe how the school district, intermediate school district, school site, or  
 14.32 charter school will provide teachers with career advancement options that allow teachers

15.1 to retain primary roles in student instruction and facilitate site-focused professional  
15.2 development that helps other teachers improve their skills;

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

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

15.9 (ii) measures of student growth and literacy that may include value-added models  
15.10 or student learning goals, consistent with section 122A.40, subdivision 8, paragraph  
15.11 (b), clause (9), or 122A.41, subdivision 5, paragraph (b), clause (9), and other measures  
15.12 that include the academic literacy, oral academic language, and achievement of English  
15.13 learners under section 122A.40, subdivision 8, paragraph (b), clause (10), or 122A.41,  
15.14 subdivision 5, paragraph (b), clause (10); and

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

15.17 (4) provide for participation in job-embedded learning opportunities such as  
15.18 professional learning communities to improve instructional skills and learning that are  
15.19 aligned with student needs under section ~~122A.413~~ 120B.11, consistent with the staff  
15.20 development plan under section 122A.60 and led during the school day by trained teacher  
15.21 leaders such as master or mentor teachers;

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

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

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

15.27 (1) include a hiring bonus or other added compensation for teachers who are  
15.28 identified as effective or highly effective under the local teacher professional review  
15.29 cycle and work in a hard-to-fill position or in a hard-to-staff school such as a school with  
15.30 a majority of students whose families meet federal poverty guidelines, a geographically  
15.31 isolated school, or a school identified by the state as eligible for targeted programs or  
15.32 services for its students; and

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

16.1 Sec. 21. Minnesota Statutes 2015 Supplement, section 122A.414, subdivision 2b,  
16.2 is amended to read:

16.3 Subd. 2b. **Approval process.** (a) Consistent with the requirements of this section  
16.4 and ~~sections 122A.413 and~~ section 122A.415, the department must prepare and transmit  
16.5 to interested school districts, intermediate school districts, cooperatives, school sites,  
16.6 and charter schools a standard form for applying to participate in the alternative teacher  
16.7 professional pay system. The commissioner annually must establish three dates as  
16.8 deadlines by which interested applicants must submit an application to the commissioner  
16.9 under this section. An interested school district, intermediate school district, cooperative,  
16.10 school site, or charter school must submit to the commissioner a completed application  
16.11 executed by the district superintendent and the exclusive bargaining representative of the  
16.12 teachers if the applicant is a school district, intermediate school district, or school site, or  
16.13 executed by the charter school board of directors if the applicant is a charter school or  
16.14 executed by the governing board if the applicant is a cooperative unit. The application  
16.15 must include the proposed alternative teacher professional pay system agreement under  
16.16 subdivision 2. The department must review a completed application within 30 days of  
16.17 the most recent application deadline and recommend to the commissioner whether to  
16.18 approve or disapprove the application. The commissioner must approve applications  
16.19 on a first-come, first-served basis. The applicant's alternative teacher professional pay  
16.20 system agreement must be legally binding on the applicant and the collective bargaining  
16.21 representative before the applicant receives alternative compensation revenue. The  
16.22 commissioner must approve or disapprove an application based on the requirements  
16.23 under subdivisions 2 and 2a.

16.24 (b) If the commissioner disapproves an application, the commissioner must give the  
16.25 applicant timely notice of the specific reasons in detail for disapproving the application.  
16.26 The applicant may revise and resubmit its application and related documents to the  
16.27 commissioner within 30 days of receiving notice of the commissioner's disapproval and  
16.28 the commissioner must approve or disapprove the revised application, consistent with this  
16.29 subdivision. Applications that are revised and then approved are considered submitted on  
16.30 the date the applicant initially submitted the application.

16.31 Sec. 22. Minnesota Statutes 2015 Supplement, section 122A.414, subdivision 3,  
16.32 is amended to read:

16.33 Subd. 3. **Report; ~~continued funding.~~** (a) Participating districts, intermediate school  
16.34 districts, cooperatives, school sites, and charter schools must report on the implementation  
16.35 and effectiveness of the alternative teacher professional pay system, particularly



17.1 addressing each requirement under subdivision 2 and make annual recommendations by  
 17.2 June 15 to their school boards. ~~The school board, board of directors, or governing board~~  
 17.3 ~~shall transmit a copy of the report with a summary of the findings and recommendations~~  
 17.4 ~~of the district, intermediate school district, cooperative, school site, or charter school to~~  
 17.5 ~~the commissioner in the form and manner determined by the commissioner.~~

17.6 (b) ~~If the commissioner determines that a school district, intermediate school district,~~  
 17.7 ~~cooperative, school site, or charter school that receives alternative teacher compensation~~  
 17.8 ~~revenue is not complying with the requirements of this section, the commissioner~~  
 17.9 ~~may withhold funding from that participant. Before making the determination, the~~  
 17.10 ~~commissioner must notify the participant of any deficiencies and provide the participant~~  
 17.11 ~~an opportunity to comply. A district must include the report required under paragraph (a)~~  
 17.12 ~~as part of the world's best workforce report under section 120B.11, subdivision 5.~~

17.13 Sec. 23. Minnesota Statutes 2014, section 122A.4144, is amended to read:

17.14 **122A.4144 SUPPLEMENTAL AGREEMENTS; ALTERNATIVE TEACHER**  
 17.15 **PAY.**

17.16 Notwithstanding section 179A.20 or other law to the contrary, a school board and  
 17.17 the exclusive representative of the teachers may agree to reopen a collective bargaining  
 17.18 agreement for the purpose of entering into an alternative teacher professional pay system  
 17.19 agreement under sections ~~122A.413~~, 122A.414, and 122A.415. Negotiations for a contract  
 17.20 reopened under this section must be limited to issues related to the alternative teacher  
 17.21 professional pay system.

17.22 Sec. 24. Minnesota Statutes 2014, section 122A.416, is amended to read:

17.23 **122A.416 ALTERNATIVE TEACHER COMPENSATION REVENUE**  
 17.24 **FOR PERPICH CENTER FOR ARTS EDUCATION AND MULTIDISTRICT**  
 17.25 **INTEGRATION COLLABORATIVES.**

17.26 Notwithstanding sections ~~122A.413~~, 122A.414, 122A.415, and 126C.10,  
 17.27 multidistrict integration collaboratives and the Perpich Center for Arts Education are  
 17.28 eligible to receive alternative teacher compensation revenue as if they were intermediate  
 17.29 school districts. To qualify for alternative teacher compensation revenue, a multidistrict  
 17.30 integration collaborative or the Perpich Center for Arts Education must meet all of the  
 17.31 requirements of sections ~~122A.413~~, 122A.414, and 122A.415 that apply to intermediate  
 17.32 school districts, must report its enrollment as of October 1 of each year to the department,  
 17.33 and must annually report its expenditures for the alternative teacher professional pay

18.1 system consistent with the uniform financial accounting and reporting standards to the  
18.2 department by November 30 of each year.

18.3 Sec. 25. Minnesota Statutes 2015 Supplement, section 122A.60, subdivision 4, is  
18.4 amended to read:

18.5 Subd. 4. **Staff development report.** (a) ~~By October 15 of each year,~~ The district  
18.6 and site staff development committees shall write ~~and submit~~ a report of staff development  
18.7 activities and expenditures for the previous year, ~~in the form and manner determined by~~  
18.8 ~~the commissioner.~~ The report, signed by the district superintendent and staff development  
18.9 chair, must include assessment and evaluation data indicating progress toward district and  
18.10 site staff development goals based on teaching and learning outcomes, including the  
18.11 percentage of teachers and other staff involved in instruction who participate in effective  
18.12 staff development activities under subdivision 3 as part of the district's world's best  
18.13 workforce report under section 120B.11, subdivision 5.

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

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

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

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

18.23 ~~(e) The commissioner shall report the staff development progress and expenditure~~  
18.24 ~~data to the house of representatives and senate committees having jurisdiction over~~  
18.25 ~~education by February 15 each year.~~

18.26 Sec. 26. Minnesota Statutes 2014, section 122A.72, subdivision 5, is amended to read:

18.27 Subd. 5. **Center functions.** (a) A teacher center shall perform functions according  
18.28 to this subdivision. The center shall assist teachers, diagnose learning needs, experiment  
18.29 with the use of multiple instructional approaches, assess pupil outcomes, assess staff  
18.30 development needs and plans, and teach school personnel about effective pedagogical  
18.31 approaches. The center shall develop and produce curricula and curricular materials  
18.32 designed to meet the educational needs of pupils being served, by applying educational  
18.33 research and new and improved methods, practices, and techniques. The center shall  
18.34 provide programs to improve the skills of teachers to meet the special educational needs of

19.1 pupils. The center shall provide programs to familiarize teachers with developments in  
19.2 curriculum formulation and educational research, including how research can be used to  
19.3 improve teaching skills. The center shall facilitate sharing of resources, ideas, methods,  
19.4 and approaches directly related to classroom instruction and improve teachers' familiarity  
19.5 with current teaching materials and products for use in their classrooms. The center shall  
19.6 provide in-service programs.

19.7 (b) Each teacher center must provide a professional development program to train  
19.8 interested and highly qualified elementary, middle, and secondary teachers, selected by the  
19.9 employing school district, to assist other teachers in that district with mathematics and  
19.10 science curriculum, standards, and instruction so that all teachers have access to:

19.11 (1) high quality professional development programs in mathematics and science that  
19.12 address curriculum, instructional methods, alignment of standards, and performance  
19.13 measurements, enhance teacher and student learning, and support state mathematics and  
19.14 science standards; and

19.15 (2) research-based mathematics and science programs and instructional models  
19.16 premised on best practices that inspire teachers and students and have practical classroom  
19.17 application.

19.18 Sec. 27. Minnesota Statutes 2014, section 122A.74, subdivision 1, is amended to read:

19.19 Subdivision 1. **Establishment.** (a) The commissioner of education may contract  
19.20 with the Minnesota State University Mankato or the regents of the University of Minnesota  
19.21 to establish a Principals' Leadership Institute to provide professional development to  
19.22 school principals by:

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

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

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

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

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

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

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

20.5 Sec. 28. Minnesota Statutes 2014, section 124D.03, subdivision 5a, is amended to read:

20.6 Subd. 5a. **Lotteries.** If a school district has more applications than available seats at  
20.7 a specific grade level, it must hold an impartial lottery following the January 15 deadline  
20.8 to determine which students will receive seats. Siblings of currently enrolled students ~~and~~<sub>2</sub>  
20.9 applications related to an approved integration and achievement plan, and children of the  
20.10 school district's staff must receive priority in the lottery. The process for the school district  
20.11 lottery must be established in school district policy, approved by the school board, and  
20.12 posted on the school district's Web site.

20.13 **EFFECTIVE DATE.** This section is effective the day following final enactment for  
20.14 nonresident pupil applications not yet accepted or rejected by the school district.

20.15 Sec. 29. Minnesota Statutes 2014, section 124D.15, subdivision 3a, is amended to read:

20.16 Subd. 3a. **Application and reporting requirements.** (a) A school readiness  
20.17 program provider must ~~submit~~ include a biennial plan ~~for approval by the commissioner~~  
20.18 ~~before receiving aid under section 124D.16.~~ The plan must describe in the district's  
20.19 world's best workforce plan under section 120B.11, describing how the school readiness  
20.20 program meets the program requirements under subdivision 3. ~~A school district by April 1~~  
20.21 ~~must submit the plan for approval by the commissioner in the form and manner prescribed~~  
20.22 ~~by the commissioner. One-half the districts must first submit the plan by April 1, 2006,~~  
20.23 ~~and one-half the districts must first submit the plan by April 1, 2007, as determined by~~  
20.24 ~~the commissioner.~~

20.25 (b) Programs receiving school readiness funds annually must submit a report to  
20.26 the department.

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

20.28 Sec. 30. Minnesota Statutes 2015 Supplement, section 124D.231, subdivision 2,  
20.29 is amended to read:

20.30 Subd. 2. **Full-service community school program.** (a) The commissioner shall  
20.31 provide funding to eligible school sites to plan, implement, and improve full-service  
20.32 community schools. Eligible school sites must meet one of the following criteria:

21.1 (1) the school is on a development plan for continuous improvement under section  
21.2 120B.35, subdivision 2; or

21.3 (2) the school is in a district that has an achievement and integration plan approved  
21.4 by the commissioner of education under sections 124D.861 and 124D.862.

21.5 (b) An eligible school site may receive up to \$100,000 annually. School sites  
21.6 receiving funding under this section shall hire or contract with a partner agency to hire a  
21.7 site coordinator to coordinate services at each covered school site.

21.8 (c) Implementation funding of up to \$20,000 must be available for up to one year for  
21.9 planning for school sites. At the end of this period, the school must submit a full-service  
21.10 community school plan, pursuant to paragraph (g).

21.11 (d) The commissioner shall dispense the funds to schools with significant populations  
21.12 of students receiving free or reduced-price lunches. Schools with significant homeless and  
21.13 highly mobile students shall also be a priority. The commissioner must also dispense the  
21.14 funds in a manner to ensure equity among urban, suburban, and greater Minnesota schools.

21.15 (e) A school site must establish a school leadership team responsible for developing  
21.16 school-specific programming goals, assessing program needs, and overseeing the process  
21.17 of implementing expanded programming at each covered site. The school leadership team  
21.18 shall have between 12 to 15 members and shall meet the following requirements:

21.19 (1) at least 30 percent of the members are parents and 30 percent of the members  
21.20 are teachers at the school site and must include the school principal and representatives  
21.21 from partner agencies; and

21.22 (2) the school leadership team must be responsible for overseeing the baseline  
21.23 analyses under paragraph (f). A school leadership team must have ongoing responsibility  
21.24 for monitoring the development and implementation of full-service community school  
21.25 operations and programming at the school site and shall issue recommendations to schools  
21.26 on a regular basis and summarized in an annual report. These reports shall also be made  
21.27 available to the public at the school site and on school and district Web sites.

21.28 (f) School sites must complete a baseline analysis prior to beginning programming  
21.29 as a full-service community school. The analysis shall include:

21.30 (1) a baseline analysis of needs at the school site, led by the school leadership team,  
21.31 which shall include the following elements:

21.32 (i) identification of challenges facing the school;

21.33 (ii) analysis of the student body, including:

21.34 (A) number and percentage of students with disabilities and needs of these students;

21.35 (B) number and percentage of students who are English learners and the needs of  
21.36 these students;

- 22.1 (C) number of students who are homeless or highly mobile; and
- 22.2 (D) number and percentage of students receiving free or reduced-price lunch and the
- 22.3 needs of these students;
- 22.4 (iii) analysis of enrollment and retention rates for students with disabilities,
- 22.5 English learners, homeless and highly mobile students, and students receiving free or
- 22.6 reduced-price lunch;
- 22.7 (iv) analysis of suspension and expulsion data, including the justification for such
- 22.8 disciplinary actions and the degree to which particular populations, including, but not
- 22.9 limited to, students of color, students with disabilities, students who are English learners,
- 22.10 and students receiving free or reduced-price lunch are represented among students subject
- 22.11 to such actions;
- 22.12 (v) analysis of school achievement data disaggregated by major demographic
- 22.13 categories, including, but not limited to, race, ethnicity, English learner status, disability
- 22.14 status, and free or reduced-price lunch status;
- 22.15 (vi) analysis of current parent engagement strategies and their success; and
- 22.16 (vii) evaluation of the need for and availability of wraparound services, including,
- 22.17 but not limited to:
- 22.18 (A) mechanisms for meeting students' social, emotional, and physical health needs,
- 22.19 which may include coordination of existing services as well as the development of new
- 22.20 services based on student needs; and
- 22.21 (B) strategies to create a safe and secure school environment and improve school
- 22.22 climate and discipline, such as implementing a system of positive behavioral supports, and
- 22.23 taking additional steps to eliminate bullying;
- 22.24 (2) a baseline analysis of community assets and a strategic plan for utilizing
- 22.25 and aligning identified assets. This analysis should include, but is not limited to, a
- 22.26 documentation of individuals in the community, faith-based organizations, community and
- 22.27 neighborhood associations, colleges, hospitals, libraries, businesses, and social service
- 22.28 agencies who may be able to provide support and resources; and
- 22.29 (3) a baseline analysis of needs in the community surrounding the school, led by
- 22.30 the school leadership team, including, but not limited to:
- 22.31 (i) the need for high-quality, full-day child care and early childhood education
- 22.32 programs;
- 22.33 (ii) the need for physical and mental health care services for children and adults; and
- 22.34 (iii) the need for job training and other adult education programming.
- 22.35 (g) Each school site receiving funding under this section must establish at least two
- 22.36 of the following types of programming:

- 23.1 (1) early childhood:
- 23.2 (i) early childhood education; and
- 23.3 (ii) child care services;
- 23.4 (2) academic:
- 23.5 (i) academic support and enrichment activities, including expanded learning time;
- 23.6 (ii) summer or after-school enrichment and learning experiences;
- 23.7 (iii) job training, internship opportunities, and career counseling services;
- 23.8 (iv) programs that provide assistance to students who have been truant, suspended,
- 23.9 or expelled; and
- 23.10 (v) specialized instructional support services;
- 23.11 (3) parental involvement:
- 23.12 (i) programs that promote parental involvement and family literacy, ~~including the~~
- 23.13 ~~Reading First and Early Reading First programs authorized under part B of title I of the~~
- 23.14 ~~Elementary and Secondary Education Act of 1965, United States Code, title 20, section~~
- 23.15 ~~6361, et seq.;~~
- 23.16 (ii) parent leadership development activities; and
- 23.17 (iii) parenting education activities;
- 23.18 (4) mental and physical health:
- 23.19 (i) mentoring and other youth development programs, including peer mentoring and
- 23.20 conflict mediation;
- 23.21 (ii) juvenile crime prevention and rehabilitation programs;
- 23.22 (iii) home visitation services by teachers and other professionals;
- 23.23 (iv) developmentally appropriate physical education;
- 23.24 (v) nutrition services;
- 23.25 (vi) primary health and dental care; and
- 23.26 (vii) mental health counseling services;
- 23.27 (5) community involvement:
- 23.28 (i) service and service-learning opportunities;
- 23.29 (ii) adult education, including instruction in English as a second language; and
- 23.30 (iii) homeless prevention services;
- 23.31 (6) positive discipline practices; and
- 23.32 (7) other programming designed to meet school and community needs identified in
- 23.33 the baseline analysis and reflected in the full-service community school plan.
- 23.34 (h) The school leadership team at each school site must develop a full-service
- 23.35 community school plan detailing the steps the school leadership team will take, including:
- 23.36 (1) timely establishment and consistent operation of the school leadership team;

- 24.1 (2) maintenance of attendance records in all programming components;
- 24.2 (3) maintenance of measurable data showing annual participation and the impact
- 24.3 of programming on the participating children and adults;
- 24.4 (4) documentation of meaningful and sustained collaboration between the school
- 24.5 and community stakeholders, including local governmental units, civic engagement
- 24.6 organizations, businesses, and social service providers;
- 24.7 (5) establishment and maintenance of partnerships with institutions, such as
- 24.8 universities, hospitals, museums, or not-for-profit community organizations to further the
- 24.9 development and implementation of community school programming;
- 24.10 (6) ensuring compliance with the district nondiscrimination policy; and
- 24.11 (7) plan for school leadership team development.

24.12 Sec. 31. Minnesota Statutes 2015 Supplement, section 124D.73, subdivision 4, is

24.13 amended to read:

24.14 Subd. 4. **Participating school; American Indian school.** "Participating school"

24.15 and "American Indian school" mean a school that:

- 24.16 (1) is not operated by a school district; and
- 24.17 (2) is eligible for a grant under federal Title ~~VH~~ VI of the Elementary and Secondary
- 24.18 Education Act for the education of American Indian children.

24.19 Sec. 32. Minnesota Statutes 2014, section 127A.095, is amended to read:

24.20 **127A.095 IMPLEMENTATION OF NO CHILD LEFT BEHIND ACT**

24.21 **ELEMENTARY AND SECONDARY EDUCATION ACT.**

24.22 Subdivision 1. **Continued implementation.** The Department of Education shall

24.23 continue to implement the federal ~~No Child Left Behind Act, Public Law 107-110,~~

24.24 Elementary and Secondary Education Act without interruption.

24.25 Subd. 2. ~~No Child Left Behind review.~~ (a) ~~The legislature intends to require~~

24.26 ~~the Department of Education to conduct a comprehensive review of the consolidated~~

24.27 ~~state plan the state submitted to the federal Department of Education to implement the~~

24.28 ~~No Child Left Behind Act. The Minnesota Department of Education shall seek waivers~~

24.29 ~~under paragraph (b). If the Department of Education is unable to obtain waivers under~~

24.30 ~~paragraph (b), it should recommend in its report under paragraph (b) whether the state~~

24.31 ~~should opt out of the No Child Left Behind Act.~~

24.32 (b) ~~The commissioner, by January 15, 2008, shall report to the house of~~

24.33 ~~representatives and senate committees having jurisdiction over kindergarten through grade~~



25.1 ~~12-education policy and finance whether the department has received approval from~~  
 25.2 ~~the federal Department of Education to:~~

25.3 ~~(1) participate in the growth model pilot program;~~

25.4 ~~(2) exclude from sanctions schools that have not made adequate yearly progress due~~  
 25.5 ~~solely to a subgroup of students with disabilities not testing at a proficient level;~~

25.6 ~~(3) identify a school as not making adequate yearly progress only after the school has~~  
 25.7 ~~missed the adequate yearly progress targets in the same subgroup for two consecutive years;~~

25.8 ~~(4) determine when to hold schools accountable for including an English learner~~  
 25.9 ~~in adequate yearly progress calculations;~~

25.10 ~~(5) allow a district not making adequate yearly progress to offer supplemental~~  
 25.11 ~~educational services as an option before offering school choice;~~

25.12 ~~(6) allow a district not making adequate yearly progress to also be the supplemental~~  
 25.13 ~~educational services provider;~~

25.14 ~~(7) allow the state to maintain a subgroup size to 40 for the purposes of calculating~~  
 25.15 ~~adequate yearly progress for subgroups of English learners and subgroups of students~~  
 25.16 ~~with disabilities; and~~

25.17 ~~(8) create flexibility to enable the state to define and identify highly qualified teachers.~~

25.18 **Subd. 3. Department of Management and Budget certification.** ~~If the federal~~  
 25.19 ~~Department of Education does not transmit to the commissioner of education its approval~~  
 25.20 ~~of the conditions in subdivision 2, paragraph (b), The commissioner of management and~~  
 25.21 ~~budget shall certify and report to the legislature annually beginning January 1, 2008, the~~  
 25.22 ~~amount of federal revenue, if any, that the federal government may withhold as a result~~  
 25.23 ~~of a potential state decision to discontinue implementation of the No Child Left Behind~~  
 25.24 ~~Act Elementary and Secondary Education Act. The report shall also specify the intended~~  
 25.25 ~~purpose of the federal revenue and the amount of revenue that the federal government may~~  
 25.26 ~~withhold from the state, each school district, and each charter school in each fiscal year.~~

25.27 **Sec. 33. STUDENT DISCIPLINE WORKING GROUP.**

25.28 (a) A Student Discipline Working Group is created to review the substance,  
 25.29 application, and effect of Minnesota's Pupil Fair Dismissal Act under Minnesota Statutes,  
 25.30 sections 121A.40 to 121A.56, and related student discipline provisions in Minnesota  
 25.31 Statutes, chapter 121A, and submit written recommendations to the legislature by  
 25.32 February 1, 2017, on improving disciplinary policies, practices, and procedures as they  
 25.33 affect students and school officials and the effects on student outcomes.

25.34 (b) Consistent with paragraph (a), the working group must analyze:

26.1 (1) available summary data on elementary and secondary students' removal from  
26.2 class, suspensions, exclusions, and expulsions, disaggregated by categories of race,  
26.3 ethnicity, poverty, disabilities, homelessness, English language proficiency, gender, age,  
26.4 and foster care status;

26.5 (2) the meaning and effect of "willful" in establishing grounds for dismissal under  
26.6 Minnesota Statutes, section 121A.45;

26.7 (3) the impact of student misconduct on teacher safety;

26.8 (4) the impact of established policies and due process procedures on teacher safety  
26.9 and student outcomes;

26.10 (5) students' need for and access to professional support service providers such  
26.11 as school counselors, school social workers, school psychologists, and mental health  
26.12 professionals;

26.13 (6) the presence of school resource officers in school buildings, their role in effecting  
26.14 student discipline, and their impact on teacher safety and student outcomes;

26.15 (7) policies for retaining destroying student disciplinary data;

26.16 (8) best practices for school discipline; and

26.17 (9) other related school discipline matters that are of concern to working group  
26.18 members.

26.19 (c) By June 1, 2016, the executive director of each of the following organizations  
26.20 shall appoint one representative of that organization to serve as a member of the working  
26.21 group: the Minnesota School Boards Association; the Minnesota Association of School  
26.22 Administrators; Education Minnesota; the Minnesota Board of Peace Officer Standards  
26.23 and Training; the Minnesota Disability Law Center; the National Alliance of Mental  
26.24 Illness Minnesota; the Minnesota Association of Secondary School Principals; the  
26.25 Minnesota Elementary School Principals' Association; the Association of Metropolitan  
26.26 School Districts; the Minnesota Rural Education Association; the Minnesota School  
26.27 Counselors Association; the Minnesota School Psychologists Association; the Parent  
26.28 Advocacy Coalition for Educational Rights; Minnesota Administrators for Special  
26.29 Education; Schools for Equity in Education; and the Minnesota School Social Workers  
26.30 Association. Working group members may seek advice from experts and stakeholders in  
26.31 developing their recommendations.

26.32 (d) The commissioner of education, or the commissioner's designee, must convene  
26.33 the first meeting of the working group. The working group must select a chair or cochair  
26.34 from among its members at the first meeting. The working group must meet periodically.  
26.35 The commissioner must provide technical and administrative assistance to the working

27.1 group upon request. Working group members are not eligible to receive expenses or per  
 27.2 diem payments for serving on the working group.

27.3 (e) The working group expires February 2, 2017.

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

27.5 Sec. 34. **ASSESSMENT REPORT.**

27.6 By January 1, 2017, the commissioner of education must report to the chairs  
 27.7 and ranking minority members of the legislative committees having jurisdiction over  
 27.8 kindergarten through grade 12 education on whether or not to replace the Minnesota  
 27.9 Comprehensive Assessments (MCAs) that are administered to high school students with a  
 27.10 nationally recognized college entrance exam. The report must include the reason for the  
 27.11 recommendation. If the recommendation is to replace the MCAs, then the commissioner  
 27.12 must include in the report which nationally recognized college entrance exam should be  
 27.13 used as the replacement assessment, in what grade or grades the assessment should be  
 27.14 administered, and the cost for using the nationally recognized college entrance exam.

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

27.16 Sec. 35. **REPEALER.**

27.17 (a) Minnesota Statutes 2014, sections 120B.299, subdivision 5; 120B.35, subdivision  
 27.18 4; 122A.413, subdivision 3; 122A.43, subdivision 6; and 123B.06, are repealed.

27.19 (b) Minnesota Statutes 2015 Supplement, section 122A.413, subdivisions 1 and  
 27.20 2, are repealed.

## 27.21 **ARTICLE 3**

### 27.22 **CHARTER SCHOOLS**

27.23 Section 1. Minnesota Statutes 2015 Supplement, section 124E.05, subdivision 4, is  
 27.24 amended to read:

27.25 Subd. 4. **Application content.** (a) An applicant must include in its application to  
 27.26 the commissioner to be an approved authorizer at least the following:

27.27 (1) how chartering schools is a way for the organization to carry out its mission;

27.28 ~~(2) a description of the capacity of the organization to serve as an authorizer,~~  
 27.29 ~~including the personnel who will perform the authorizing duties, their qualifications, the~~  
 27.30 ~~amount of time they will be assigned to this responsibility, and the financial resources~~  
 27.31 ~~allocated by the organization to this responsibility;~~

28.1 (2) a description of the capacity of the organization to serve as an authorizer,  
28.2 including the positions allocated to authorizing duties, the qualifications for those  
28.3 positions, and the full-time equivalencies of those positions, and the financial resources  
28.4 available to fund the positions. The commissioner may use information about specific  
28.5 individuals expected to perform the authorizing duties in deciding whether to approve  
28.6 or disapprove an organization's application to be approved as an authorizer. The  
28.7 commissioner may not use information about specific individuals performing the  
28.8 authorizing duties in reviewing an approved authorizer's performance;

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

28.11 (4) a description of the type of contract it will arrange with the schools it charters  
28.12 that meets the provisions of section 124E.10;

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

28.16 (6) a description of the criteria and process the authorizer will use to grant expanded  
28.17 applications under section 124E.06, subdivision 5;

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

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

28.24 (b) Notwithstanding paragraph (a), an authorizer that is a school district may satisfy  
28.25 the requirements of paragraph (a), clauses (1) and (2), and any requirement governing a  
28.26 conflict of interest between an authorizer and its charter schools or ongoing evaluation or  
28.27 continuing education of an administrator or other professional support staff by submitting  
28.28 to the commissioner a written promise to comply with the requirements.

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

28.30 Sec. 2. Minnesota Statutes 2015 Supplement, section 124E.05, subdivision 5, is  
28.31 amended to read:

28.32 Subd. 5. **Review by commissioner.** (a) The commissioner shall review an  
28.33 authorizer's performance every five years in a manner and form determined by the  
28.34 commissioner, subject to paragraphs (b) and (c), and may review an authorizer's  
28.35 performance more frequently at the commissioner's own initiative or at the request of a

29.1 charter school operator, charter school board member, or other interested party. The  
29.2 commissioner, after completing the review, shall transmit a report with findings to the  
29.3 authorizer.

29.4 (b) Consistent with section 124E.05, subdivision 5, the commissioner must:

29.5 (1) use criteria appropriate to the authorizer and the schools it charters to review  
29.6 the authorizer's performance; and

29.7 (2) consult with authorizers, charter school operators, and other charter school  
29.8 stakeholders in developing review criteria under this paragraph.

29.9 (c) The commissioner's form must use existing department data on the authorizer to  
29.10 minimize duplicate reporting to the extent practicable. When reviewing an authorizer's  
29.11 performance under this subdivision, the commissioner must not (1) fail to credit, (2)  
29.12 withhold points, or (3) otherwise penalize an authorizer for failing to charter additional  
29.13 schools or for the absence of complaints against the authorizer's current portfolio of  
29.14 charter schools.

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

29.16 Sec. 3. Minnesota Statutes 2015 Supplement, section 124E.05, subdivision 7, is  
29.17 amended to read:

29.18 Subd. 7. **Withdrawal.** If the governing board of an approved authorizer votes to  
29.19 withdraw as an approved authorizer for a reason unrelated to any cause under section  
29.20 124E.10, subdivision 4, the authorizer must notify all its chartered schools and the  
29.21 commissioner in writing by July 15 of its intent to withdraw as an authorizer on June 30  
29.22 in the next calendar year, regardless of when the authorizer's five-year term of approval  
29.23 ends. The commissioner may approve the transfer of a charter school to a new authorizer  
29.24 under ~~this subdivision after the new authorizer submits an affidavit to the commissioner~~  
29.25 section 124E.10, subdivision 5.

29.26 Sec. 4. Minnesota Statutes 2015 Supplement, section 124E.10, subdivision 1, is  
29.27 amended to read:

29.28 Subdivision 1. **Contents.** (a) The authorization for a charter school must be in the  
29.29 form of a written contract signed by the authorizer and the board of directors of the charter  
29.30 school. The contract must be completed within 45 business days of the commissioner's  
29.31 approval of the authorizer's affidavit. The authorizer shall submit to the commissioner a  
29.32 copy of the signed charter contract within ten business days of its execution. The contract  
29.33 for a charter school must be in writing and contain at least the following:

30.1 (1) a declaration that the charter school will carry out the primary purpose in section  
30.2 124E.01, subdivision 1, and how the school will report its implementation of the primary  
30.3 purpose;

30.4 (2) a declaration of the additional purpose or purposes in section 124E.01,  
30.5 subdivision 1, that the school intends to carry out and how the school will report its  
30.6 implementation of those purposes;

30.7 (3) a description of the school program and the specific academic and nonacademic  
30.8 outcomes that pupils must achieve;

30.9 (4) a statement of admission policies and procedures;

30.10 (5) a governance, management, and administration plan for the school;

30.11 (6) signed agreements from charter school board members to comply with all  
30.12 federal and state laws governing organizational, programmatic, and financial requirements  
30.13 applicable to charter schools;

30.14 (7) the criteria, processes, and procedures that the authorizer will use to monitor and  
30.15 evaluate the fiscal, operational, and academic performance consistent with subdivision  
30.16 3, paragraphs (a) and (b);

30.17 (8) for contract renewal, the formal written performance evaluation of the school  
30.18 that is a prerequisite for reviewing a charter contract under subdivision 3;

30.19 (9) types and amounts of insurance liability coverage to be obtained by the charter  
30.20 school, consistent with section 124E.03, subdivision 2, paragraph (d);

30.21 (10) consistent with section 124E.09, paragraph (d), a provision to indemnify and  
30.22 hold harmless the authorizer and its officers, agents, and employees from any suit, claim,  
30.23 or liability arising from any operation of the charter school, and the commissioner and  
30.24 department officers, agents, and employees notwithstanding section 3.736;

30.25 (11) the term of the initial contract, which may be up to five years plus ~~an additional~~  
30.26 a preoperational planning year period, and up to five years for a renewed contract or a  
30.27 contract with a new authorizer after a transfer of authorizers, if warranted by the school's  
30.28 academic, financial, and operational performance;

30.29 (12) how the board of directors or the operators of the charter school will provide  
30.30 special instruction and services for children with a disability under sections 125A.03  
30.31 to 125A.24, and 125A.65, a description of the financial parameters within which the  
30.32 charter school will operate to provide the special instruction and services to children  
30.33 with a disability;

30.34 (13) the specific conditions for contract renewal that identify performance of all  
30.35 students under the primary purpose of section 124E.01, subdivision 1, as the most  
30.36 important factor in determining contract renewal;

31.1 (14) the additional purposes under section 124E.01, subdivision 1, and related  
31.2 performance obligations under clause (7) contained in the charter contract as additional  
31.3 factors in determining contract renewal; and

31.4 (15) the plan for an orderly closing of the school under chapter 317A, whether  
31.5 the closure is a termination for cause, a voluntary termination, or a nonrenewal of the  
31.6 contract, that includes establishing the responsibilities of the school board of directors  
31.7 and the authorizer and notifying the commissioner, authorizer, school district in which the  
31.8 charter school is located, and parents of enrolled students about the closure, information  
31.9 and assistance sufficient to enable the student to re-enroll in another school, the transfer  
31.10 of student records under section 124E.03, subdivision 5, paragraph (b), and procedures  
31.11 for closing financial operations.

31.12 (b) A charter school must design its programs to at least meet the outcomes adopted  
31.13 by the commissioner for public school students, including world's best workforce goal  
31.14 under section 120B.11, subdivision 1. In the absence of the commissioner's requirements,  
31.15 the school must meet the outcomes contained in the contract with the authorizer. The  
31.16 achievement levels of the outcomes contained in the contract may exceed the achievement  
31.17 levels of any outcomes adopted by the commissioner for public school students.

31.18 Sec. 5. Minnesota Statutes 2015 Supplement, section 124E.10, subdivision 5, is  
31.19 amended to read:

31.20 Subd. 5. **Mutual nonrenewal.** If the authorizer and the charter school board of  
31.21 directors mutually agree not to renew the contract, or if the governing board of an approved  
31.22 authorizer votes to withdraw as an approved authorizer for a reason unrelated to any cause  
31.23 under subdivision 4, a change in authorizers is allowed. The authorizer and the school  
31.24 board must jointly submit a written and signed letter of their intent to the commissioner to  
31.25 mutually not renew the contract. The authorizer that is a party to the existing contract must  
31.26 inform the proposed authorizer about the fiscal, operational, and student performance status  
31.27 of the school, ~~as well as any~~ including unmet contract outcomes and other outstanding  
31.28 contractual obligations that exist. The charter contract between the proposed authorizer  
31.29 and the school must identify and provide a plan to address any outstanding obligations from  
31.30 the previous contract. The proposed contract must be submitted at least 105 business days  
31.31 before the end of the existing charter contract. The commissioner shall have 30 business  
31.32 days to review and make a determination. The proposed authorizer and the school shall  
31.33 have 15 business days to respond to the determination and address any issues identified by  
31.34 the commissioner. A final determination by the commissioner shall be made no later than  
31.35 45 business days before the end of the current charter contract. If no change in authorizer

32.1 is approved, the school and the current authorizer may withdraw their letter of nonrenewal  
 32.2 and enter into a new contract. If the transfer of authorizers is not approved and the current  
 32.3 authorizer and the school do not withdraw their letter and enter into a new contract, the  
 32.4 school must be dissolved according to applicable law and the terms of the contract.

32.5 Sec. 6. Minnesota Statutes 2015 Supplement, section 124E.16, subdivision 2, is  
 32.6 amended to read:

32.7 Subd. 2. **Annual public reports.** (a) A charter school must publish an annual report  
 32.8 approved by the board of directors. The annual report must at least include information  
 32.9 on school enrollment, student attrition, governance and management, staffing, finances,  
 32.10 academic performance, innovative practices and implementation, and future plans. A  
 32.11 charter school may combine this report with the reporting required under section 120B.11.  
 32.12 A charter school must post the annual report on the school's official Web site. A charter  
 32.13 school must also distribute the annual report by publication, mail, or electronic means to  
 32.14 its authorizer, school employees, and parents and legal guardians of students enrolled in  
 32.15 the charter school. The reports are public data under chapter 13.

32.16 (b) ~~The commissioner shall establish specifications for~~ An authorizer must submit an  
 32.17 authorizer's annual public report that in a manner specified by the commissioner by January  
 32.18 15 for the previous school year ending June 30 that shall at least include key indicators of  
 32.19 school academic, operational, and financial performance. The report is part of the system  
 32.20 to evaluate authorizer performance under section 124E.05, subdivision 5. The report shall  
 32.21 at least include key indicators of school academic, operational, and financial performance.

## 32.22 ARTICLE 4

### 32.23 SPECIAL EDUCATION

32.24 Section 1. Minnesota Statutes 2015 Supplement, section 120B.125, is amended to read:

#### 32.25 **120B.125 PLANNING FOR STUDENTS' SUCCESSFUL TRANSITION** 32.26 **TO POSTSECONDARY EDUCATION AND EMPLOYMENT; PERSONAL** 32.27 **LEARNING PLANS.**

32.28 (a) Consistent with sections 120B.13, 120B.131, 120B.132, 120B.14, 120B.15,  
 32.29 120B.30, subdivision 1, paragraph (c), 125A.08, and other related sections, school  
 32.30 districts, beginning in the 2013-2014 school year, must assist all students by no later  
 32.31 than grade 9 to explore their educational, college, and career interests, aptitudes, and  
 32.32 aspirations and develop a plan for a smooth and successful transition to postsecondary  
 32.33 education or employment. All students' plans must:



33.1 (1) provide a comprehensive plan to prepare for and complete a career and college  
33.2 ready curriculum by meeting state and local academic standards and developing career and  
33.3 employment-related skills such as team work, collaboration, creativity, communication,  
33.4 critical thinking, and good work habits;

33.5 (2) emphasize academic rigor and high expectations;

33.6 (3) help students identify interests, aptitudes, aspirations, and personal learning  
33.7 styles that may affect their career and college ready goals and postsecondary education  
33.8 and employment choices;

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

33.11 (5) help students access education and career options;

33.12 (6) integrate strong academic content into career-focused courses and applied and  
33.13 experiential learning opportunities and integrate relevant career-focused courses and  
33.14 applied and experiential learning opportunities into strong academic content;

33.15 (7) help identify and access appropriate counseling and other supports and assistance  
33.16 that enable students to complete required coursework, prepare for postsecondary education  
33.17 and careers, and obtain information about postsecondary education costs and eligibility  
33.18 for financial aid and scholarship;

33.19 (8) help identify collaborative partnerships among prekindergarten through grade  
33.20 12 schools, postsecondary institutions, economic development agencies, and local and  
33.21 regional employers that support students' transition to postsecondary education and  
33.22 employment and provide students with applied and experiential learning opportunities; and

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

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

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

34.1 (d) When assisting students in developing a plan for a smooth and successful  
 34.2 transition to postsecondary education and employment, districts must recognize the unique  
 34.3 possibilities of each student and ensure that the contents of each student's plan reflect the  
 34.4 student's unique talents, skills, and abilities as the student grows, develops, and learns.

34.5 (e) A student with a disability that has an individualized education program (IEP)  
 34.6 or standardized written plan that meets the plan components of this section does not  
 34.7 need an additional plan.

34.8 Sec. 2. Minnesota Statutes 2014, section 122A.31, subdivision 3, is amended to read:

34.9 Subd. 3. **Qualified interpreters.** The Department of Education ~~and the resource~~  
 34.10 ~~center:~~ state specialist for deaf and hard-of-hearing ~~hard-of-hearing~~ shall work with  
 34.11 existing interpreter/transliterator training programs, other training/educational institutions,  
 34.12 and the regional service centers to ensure that ongoing staff development training for  
 34.13 educational interpreters/transliterators is provided throughout the state.

34.14 Sec. 3. Minnesota Statutes 2014, section 124D.15, subdivision 15, is amended to read:

34.15 Subd. 15. **Eligibility.** A child is eligible to participate in a school readiness program  
 34.16 if the child:

34.17 (1) is at least three years old on September 1;

34.18 (2) has completed health and developmental screening within 90 days of program  
 34.19 enrollment under sections 121A.16 to 121A.19; and

34.20 (3) has one or more of the following risk factors:

34.21 (i) qualifies for free or reduced-price lunch;

34.22 (ii) is an English learner;

34.23 (iii) is homeless;

34.24 (iv) has an individualized education program (IEP) or ~~an individual interagency~~  
 34.25 ~~intervention plan (IHP)~~ standardized written plan;

34.26 (v) is identified, through health and developmental screenings under sections  
 34.27 121A.16 to 121A.19, with a potential risk factor that may influence learning; or

34.28 (vi) is defined as ~~at-risk~~ at risk by the school district.

34.29 Sec. 4. Minnesota Statutes 2015 Supplement, section 125A.08, is amended to read:

34.30 **125A.08 INDIVIDUALIZED EDUCATION PROGRAMS.**

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

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

35.1 (1) all students with disabilities are provided the special instruction and services  
35.2 which are appropriate to their needs. Where the individualized education program team  
35.3 has determined appropriate goals and objectives based on the student's needs, including the  
35.4 extent to which the student can be included in the least restrictive environment, and where  
35.5 there are essentially equivalent and effective instruction, related services, or assistive  
35.6 technology devices available to meet the student's needs, cost to the district may be among  
35.7 the factors considered by the team in choosing how to provide the appropriate services,  
35.8 instruction, or devices that are to be made part of the student's individualized education  
35.9 program. The individualized education program team shall consider and may authorize  
35.10 services covered by medical assistance according to section 256B.0625, subdivision 26.  
35.11 The student's needs and the special education instruction and services to be provided must  
35.12 be agreed upon through the development of an individualized education program. The  
35.13 program must address the student's need to develop skills to live and work as independently  
35.14 as possible within the community. The individualized education program team must  
35.15 consider positive behavioral interventions, strategies, and supports that address behavior  
35.16 needs for children. During grade 9, the program must address the student's needs for  
35.17 transition from secondary services to postsecondary education and training, employment,  
35.18 community participation, recreation, and leisure and home living. In developing the  
35.19 program, districts must inform parents of the full range of transitional goals and related  
35.20 services that should be considered. The program must include a statement of the needed  
35.21 transition services, including a statement of the interagency responsibilities or linkages or  
35.22 both before secondary services are concluded. If the IEP meets the plan components in  
35.23 section 120B.125, the IEP satisfies the requirement and no additional plan is needed;

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

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

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

35.33 (5) to the maximum extent appropriate, children with a disability, including those  
35.34 in public or private institutions or other care facilities, are educated with children who  
35.35 are not disabled, and that special classes, separate schooling, or other removal of children  
35.36 with a disability from the regular educational environment occurs only when and to the

36.1 extent that the nature or severity of the disability is such that education in regular classes  
36.2 with the use of supplementary services cannot be achieved satisfactorily;

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

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

36.9 (c) For all paraprofessionals employed to work in programs whose role in part is  
36.10 to provide direct support to students with disabilities, the school board in each district  
36.11 shall ensure that:

36.12 (1) before or beginning at the time of employment, each paraprofessional must  
36.13 develop sufficient knowledge and skills in emergency procedures, building orientation,  
36.14 roles and responsibilities, confidentiality, vulnerability, and reportability, among other  
36.15 things, to begin meeting the needs, especially disability-specific and behavioral needs, of  
36.16 the students with whom the paraprofessional works;

36.17 (2) annual training opportunities are required to enable the paraprofessional to  
36.18 continue to further develop the knowledge and skills that are specific to the students with  
36.19 whom the paraprofessional works, including understanding disabilities, the unique and  
36.20 individual needs of each student according to the student's disability and how the disability  
36.21 affects the student's education and behavior, following lesson plans, and implementing  
36.22 follow-up instructional procedures and activities; and

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

36.26 Sec. 5. Minnesota Statutes 2014, section 125A.091, subdivision 11, is amended to read:

36.27 Subd. 11. **Facilitated team meeting.** A facilitated team meeting is an IEP, IFSP, or  
36.28 ~~HP~~ multiagency team meeting led by an impartial state-provided facilitator to promote  
36.29 effective communication and assist a team in developing an individualized education  
36.30 program.

36.31 Sec. 6. Minnesota Statutes 2015 Supplement, section 125A.0942, subdivision 3,  
36.32 is amended to read:

37.1 Subd. 3. **Physical holding or seclusion.** (a) Physical holding or seclusion may be  
37.2 used only in an emergency. A school that uses physical holding or seclusion shall meet the  
37.3 following requirements:

37.4 (1) physical holding or seclusion is the least intrusive intervention that effectively  
37.5 responds to the emergency;

37.6 (2) physical holding or seclusion is not used to discipline a noncompliant child;

37.7 (3) physical holding or seclusion ends when the threat of harm ends and the staff  
37.8 determines the child can safely return to the classroom or activity;

37.9 (4) staff directly observes the child while physical holding or seclusion is being used;

37.10 (5) each time physical holding or seclusion is used, the staff person who implements  
37.11 or oversees the physical holding or seclusion documents, as soon as possible after the  
37.12 incident concludes, the following information:

37.13 (i) a description of the incident that led to the physical holding or seclusion;

37.14 (ii) why a less restrictive measure failed or was determined by staff to be  
37.15 inappropriate or impractical;

37.16 (iii) the time the physical holding or seclusion began and the time the child was  
37.17 released; and

37.18 (iv) a brief record of the child's behavioral and physical status;

37.19 (6) the room used for seclusion must:

37.20 (i) be at least six feet by five feet;

37.21 (ii) be well lit, well ventilated, adequately heated, and clean;

37.22 (iii) have a window that allows staff to directly observe a child in seclusion;

37.23 (iv) have tamperproof fixtures, electrical switches located immediately outside the  
37.24 door, and secure ceilings;

37.25 (v) have doors that open out and are unlocked, locked with keyless locks that  
37.26 have immediate release mechanisms, or locked with locks that have immediate release  
37.27 mechanisms connected with a fire and emergency system; and

37.28 (vi) not contain objects that a child may use to injure the child or others; and

37.29 (7) before using a room for seclusion, a school must:

37.30 (i) receive written notice from local authorities that the room and the locking  
37.31 mechanisms comply with applicable building, fire, and safety codes; and

37.32 (ii) register the room with the commissioner, who may view that room; and

37.33 ~~(8) until August 1, 2015, a school district may use prone restraints with children  
37.34 age five or older if:~~

37.35 ~~(i) the district has provided to the department a list of staff who have had specific  
37.36 training on the use of prone restraints;~~

38.1 ~~(ii) the district provides information on the type of training that was provided and~~  
 38.2 ~~by whom;~~

38.3 ~~(iii) only staff who received specific training use prone restraints;~~

38.4 ~~(iv) each incident of the use of prone restraints is reported to the department within~~  
 38.5 ~~five working days on a form provided by the department; and~~

38.6 ~~(v) the district, before using prone restraints, must review any known medical or~~  
 38.7 ~~psychological limitations that contraindicate the use of prone restraints.~~

38.8 ~~The department must collect data on districts' use of prone restraints and publish the~~  
 38.9 ~~data in a readily accessible format on the department's Web site on a quarterly basis.~~

38.10 (b) By February 1, 2015, and annually thereafter, stakeholders may, as necessary,  
 38.11 recommend to the commissioner specific and measurable implementation and outcome  
 38.12 goals for reducing the use of restrictive procedures and the commissioner must submit to  
 38.13 the legislature a report on districts' progress in reducing the use of restrictive procedures  
 38.14 that recommends how to further reduce these procedures and eliminate the use of  
 38.15 ~~prone restraints~~ seclusion. The statewide plan includes the following components:  
 38.16 measurable goals; the resources, training, technical assistance, mental health services,  
 38.17 and collaborative efforts needed to significantly reduce districts' use of ~~prone restraints~~  
 38.18 seclusion; and recommendations to clarify and improve the law governing districts' use  
 38.19 of restrictive procedures. The commissioner must consult with interested stakeholders  
 38.20 when preparing the report, including representatives of advocacy organizations, special  
 38.21 education directors, teachers, paraprofessionals, intermediate school districts, school  
 38.22 boards, day treatment providers, county social services, state human services department  
 38.23 staff, mental health professionals, and autism experts. ~~By June 30~~ Beginning with the  
 38.24 2016-17 school year, in a form and manner determined by the commissioner, districts  
 38.25 must report data quarterly to the department by January 15, April 15, July 15, and October  
 38.26 15, about individual students who have been secluded. By July 15 each year, districts  
 38.27 must report summary data on their use of restrictive procedures to the department for  
 38.28 the prior school year, July 1 through June 30, in a form and manner determined by the  
 38.29 commissioner. The summary data must include information about the use of restrictive  
 38.30 procedures, including use of reasonable force under section 121A.582.

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

38.33 Sec. 7. Minnesota Statutes 2014, section 125A.0942, subdivision 4, is amended to read:

38.34 Subd. 4. **Prohibitions.** The following actions or procedures are prohibited:

38.35 (1) engaging in conduct prohibited under section 121A.58;

39.1 (2) requiring a child to assume and maintain a specified physical position, activity,  
39.2 or posture that induces physical pain;

39.3 (3) totally or partially restricting a child's senses as punishment;

39.4 (4) presenting an intense sound, light, or other sensory stimuli using smell, taste,  
39.5 substance, or spray as punishment;

39.6 (5) denying or restricting a child's access to equipment and devices such as walkers,  
39.7 wheelchairs, hearing aids, and communication boards that facilitate the child's functioning,  
39.8 except when temporarily removing the equipment or device is needed to prevent injury  
39.9 to the child or others or serious damage to the equipment or device, in which case the  
39.10 equipment or device shall be returned to the child as soon as possible;

39.11 (6) interacting with a child in a manner that constitutes sexual abuse, neglect, or  
39.12 physical abuse under section 626.556;

39.13 (7) withholding regularly scheduled meals or water;

39.14 (8) denying access to bathroom facilities; ~~and~~

39.15 (9) physical holding that restricts or impairs a child's ability to breathe, restricts or  
39.16 impairs a child's ability to communicate distress, places pressure or weight on a child's  
39.17 head, throat, neck, chest, lungs, sternum, diaphragm, back, or abdomen, or results in  
39.18 straddling a child's torso; and

39.19 (10) prone restraint.

39.20 **EFFECTIVE DATE.** The section is effective the day following final enactment.

39.21 Sec. 8. Minnesota Statutes 2015 Supplement, section 125A.63, subdivision 4, is  
39.22 amended to read:

39.23 Subd. 4. **Advisory committees.** (a) The commissioner shall establish advisory  
39.24 committees for the deaf and hard-of-hearing and for the blind and visually impaired. The  
39.25 advisory committees shall develop recommendations and submit an annual report to the  
39.26 commissioner on the form and in the manner prescribed by the commissioner.

39.27 (b) The advisory committees for the deaf and hard of hearing and for the blind and  
39.28 visually impaired shall meet periodically at least four times per year ~~and~~. The committees  
39.29 must each review, approve, and submit an annual a biennial report to the commissioner,  
39.30 the education policy and finance committees of the legislature, and the Commission of  
39.31 Deaf, DeafBlind, and Hard-of-Hearing Minnesotans. The reports must, at least:

39.32 (1) identify and report the aggregate, data-based education outcomes for children  
39.33 with the primary disability classification of deaf and hard of hearing or of blind and  
39.34 visually impaired, consistent with the commissioner's child count reporting practices, the

40.1 commissioner's state and local outcome data reporting system by district and region, and  
40.2 the school performance report cards under section 120B.36, subdivision 1; and

40.3 (2) describe the implementation of a data-based plan for improving the education  
40.4 outcomes of deaf and hard of hearing or blind and visually impaired children that is  
40.5 premised on evidence-based best practices, and provide a cost estimate for ongoing  
40.6 implementation of the plan.

## 40.7 **ARTICLE 5**

### 40.8 **FACILITIES AND TECHNOLOGY**

40.9 Section 1. Minnesota Statutes 2014, section 123B.52, subdivision 1, is amended to read:

40.10 Subdivision 1. **Contracts.** A contract for work or labor, or for the purchase of  
40.11 furniture, fixtures, or other property, except books registered under the copyright laws and  
40.12 information systems software, or for the construction or repair of school houses, the  
40.13 estimated cost or value of which shall exceed that specified in section 471.345, subdivision  
40.14 3, must not be made by the school board without first advertising for bids or proposals by  
40.15 two weeks' published notice in the official newspaper. This notice must state the time and  
40.16 place of receiving bids and contain a brief description of the subject matter.

40.17 Additional publication in the official newspaper or elsewhere may be made as the  
40.18 board shall deem necessary.

40.19 After taking into consideration conformity with the specifications, terms of delivery,  
40.20 and other conditions imposed in the call for bids, every such contract for which a call for  
40.21 bids has been issued must be awarded to the lowest responsible bidder, be duly executed  
40.22 in writing, and be otherwise conditioned as required by law. The person to whom the  
40.23 contract is awarded shall give a sufficient bond to the board for its faithful performance.  
40.24 Notwithstanding section 574.26 or any other law to the contrary, on a contract limited to the  
40.25 purchase of a finished tangible product, a board may require, at its discretion, a performance  
40.26 bond of a contractor in the amount the board considers necessary. A record must be kept of  
40.27 all bids, with names of bidders and amount of bids, and with the successful bid indicated  
40.28 thereon. A bid containing an alteration or erasure of any price contained in the bid which  
40.29 is used in determining the lowest responsible bid must be rejected unless the alteration or  
40.30 erasure is corrected as provided in this section. An alteration or erasure may be crossed out  
40.31 and the correction thereof printed in ink or typewritten adjacent thereto and initialed in ink  
40.32 by the person signing the bid. In the case of identical low bids from two or more bidders,  
40.33 the board may, at its discretion, utilize negotiated procurement methods with the tied low  
40.34 bidders for that particular transaction, so long as the price paid does not exceed the low tied  
40.35 bid price. In the case where only a single bid is received, the board may, at its discretion,



41.1 negotiate a mutually agreeable contract with the bidder so long as the price paid does not  
41.2 exceed the original bid. If no satisfactory bid is received, the board may readvertise.  
41.3 Standard requirement price contracts established for supplies or services to be purchased  
41.4 by the district must be established by competitive bids. Such standard requirement price  
41.5 contracts may contain escalation clauses and may provide for a negotiated price increase  
41.6 or decrease based upon a demonstrable industrywide or regional increase or decrease in  
41.7 the vendor's costs. Either party to the contract may request that the other party demonstrate  
41.8 such increase or decrease. The term of such contracts must not exceed two years with an  
41.9 option on the part of the district to renew for an additional two years. Contracts for the  
41.10 purchase of perishable food items, except milk for school lunches and vocational training  
41.11 programs, in any amount may be made by direct negotiation by obtaining two or more  
41.12 written quotations for the purchase or sale, when possible, without advertising for bids or  
41.13 otherwise complying with the requirements of this section or section 471.345, subdivision  
41.14 3. All quotations obtained shall be kept on file for a period of at least one year after receipt.

41.15 Every contract made without compliance with the provisions of this section shall be  
41.16 void. Except in the case of the destruction of buildings or injury thereto, where the public  
41.17 interest would suffer by delay, contracts for repairs may be made without advertising  
41.18 for bids.

41.19 Sec. 2. Minnesota Statutes 2015 Supplement, section 123B.53, subdivision 1, is  
41.20 amended to read:

41.21 Subdivision 1. **Definitions.** (a) For purposes of this section, the eligible debt service  
41.22 revenue of a district is defined as follows:

41.23 (1) the amount needed to produce between five and six percent in excess of the  
41.24 amount needed to meet when due the principal and interest payments on the obligations  
41.25 of the district for eligible projects according to subdivision 2, including the amounts  
41.26 necessary for repayment of ~~energy loans according to section 216C.37 or sections 298.292~~  
41.27 ~~to 298.298~~, debt service loans, capital loans, and lease purchase payments under section  
41.28 126C.40, subdivision 2, excluding long-term facilities maintenance levies under section  
41.29 123B.595, minus

41.30 (2) the amount of debt service excess levy reduction for that school year calculated  
41.31 according to the procedure established by the commissioner.

41.32 (b) The obligations in this paragraph are excluded from eligible debt service revenue:

41.33 (1) obligations under section 123B.61;

41.34 (2) the part of debt service principal and interest paid from the taconite environmental  
41.35 protection fund or Douglas J. Johnson economic protection trust, excluding the portion of

42.1 taconite payments from the Iron Range school consolidation and cooperatively operated  
42.2 school account under section 298.28, subdivision 7a;

42.3 (3) obligations issued under Laws 1991, chapter 265, article 5, section 18, as  
42.4 amended by Laws 1992, chapter 499, article 5, section 24;

42.5 (4) obligations under section 123B.62; and

42.6 (5) obligations equalized under section 123B.535.

42.7 (c) For purposes of this section, if a preexisting school district reorganized under  
42.8 sections 123A.35 to 123A.43, 123A.46, and 123A.48 is solely responsible for retirement  
42.9 of the preexisting district's bonded indebtedness, capital loans or debt service loans, debt  
42.10 service equalization aid must be computed separately for each of the preexisting districts.

42.11 (d) For purposes of this section, the adjusted net tax capacity determined according  
42.12 to sections 127A.48 and 273.1325 shall be adjusted to include the tax capacity of property  
42.13 generally exempted from ad valorem taxes under section 272.02, subdivision 64.

42.14 **EFFECTIVE DATE.** This section is effective for revenue in fiscal year 2017 and  
42.15 later.

42.16 Sec. 3. Minnesota Statutes 2014, section 123B.571, subdivision 2, is amended to read:

42.17 Subd. 2. **Radon testing.** A school district may include radon testing as a part of  
42.18 its ~~health and safety~~ ten-year facility plan under section 123B.595, subdivision 4. If a  
42.19 school district receives authority to use ~~health and safety~~ long-term facilities maintenance  
42.20 revenue to conduct radon testing, the district shall conduct the testing according to the  
42.21 radon testing plan developed by the commissioners of health and education.

42.22 **EFFECTIVE DATE.** This section is effective for revenue in fiscal year 2017 and  
42.23 later.

42.24 Sec. 4. **[123B.572] SOLAR PANEL FIRE SAFETY.**

42.25 A solar photovoltaic system installed at a school under this section must comply  
42.26 with chapter 690 of the most current edition of NFPA 70, the National Electrical Code,  
42.27 adopted under the authority given in section 326B.32, subdivision 2.

42.28 Sec. 5. Minnesota Statutes 2015 Supplement, section 123B.595, subdivision 4, is  
42.29 amended to read:

42.30 Subd. 4. **Facilities plans.** (a) To qualify for revenue under this section, a school  
42.31 district or intermediate district, not including a charter school, must have a ten-year facility  
42.32 plan adopted by the school board and approved by the commissioner. The plan must include

43.1 provisions for implementing a health and safety program that complies with health, safety,  
43.2 and environmental regulations and best practices, including indoor air quality management.

43.3 (b) The district must annually update the plan, ~~biennially~~ submit a ~~facility~~  
43.4 ~~maintenance~~ the plan to the commissioner for approval by July 31, and indicate whether  
43.5 the district will issue bonds to finance the plan or levy for the costs.

43.6 (c) For school districts issuing bonds to finance the plan, the plan must include a  
43.7 debt service schedule demonstrating that the debt service revenue required to pay the  
43.8 principal and interest on the bonds each year will not exceed the projected long-term  
43.9 facilities revenue for that year.

43.10 **EFFECTIVE DATE.** This section is effective for revenue in fiscal year 2017 and  
43.11 later.

43.12 Sec. 6. Minnesota Statutes 2015 Supplement, section 123B.595, subdivision 7, is  
43.13 amended to read:

43.14 Subd. 7. **Long-term facilities maintenance equalization revenue.** (a) For fiscal  
43.15 year 2017 only, a district's long-term facilities maintenance equalization revenue equals  
43.16 the lesser of (1) \$193 times the adjusted pupil units or (2) the district's revenue under  
43.17 subdivision 1.

43.18 (b) For fiscal year 2018 only, a district's long-term facilities maintenance  
43.19 equalization revenue equals the lesser of (1) \$292 times the adjusted pupil units or (2)  
43.20 the district's revenue under subdivision 1.

43.21 (c) For fiscal year 2019 and later, a district's long-term facilities maintenance  
43.22 equalization revenue equals the lesser of (1) \$380 times the adjusted pupil units or (2)  
43.23 the district's revenue under subdivision 1.

43.24 (d) Notwithstanding paragraphs (a) to (c), a district's long-term facilities maintenance  
43.25 equalization revenue must not be less than the lesser of the district's long-term facilities  
43.26 maintenance revenue or the amount of aid the district received for fiscal year 2015 under  
43.27 Minnesota Statutes 2014, section 123B.59, subdivision 6.

43.28 **EFFECTIVE DATE.** This section is effective for revenue in fiscal year 2017 and  
43.29 later.

43.30 Sec. 7. Minnesota Statutes 2015 Supplement, section 123B.595, subdivision 8, is  
43.31 amended to read:

44.1 Subd. 8. **Long-term facilities maintenance equalized levy.** (a) For fiscal year 2017  
44.2 and later, a district's long-term facilities maintenance equalized levy equals the district's  
44.3 long-term facilities maintenance equalization revenue minus the greater of:

44.4 (1) the lesser of the district's long-term facilities maintenance equalization revenue  
44.5 or the amount of aid the district received for fiscal year 2015 under Minnesota Statutes  
44.6 2014, section 123B.59, subdivision 6; or

44.7 (2) the district's long-term facilities maintenance equalization revenue times the  
44.8 greater of (i) zero or (ii) one minus the ratio of its adjusted net tax capacity per adjusted  
44.9 pupil unit in the year preceding the year the levy is certified to 123 percent of the state  
44.10 average adjusted net tax capacity per adjusted pupil unit for all school districts in the  
44.11 year preceding the year the levy is certified.

44.12 (b) For purposes of this subdivision, "adjusted net tax capacity" means the value  
44.13 described in section 126C.01, subdivision 2, paragraph (b).

44.14 **EFFECTIVE DATE.** This section is effective for revenue in fiscal year 2017 and  
44.15 later.

44.16 Sec. 8. Minnesota Statutes 2015 Supplement, section 123B.595, is amended by adding  
44.17 a subdivision to read:

44.18 Subd. 8a. **Long-term facilities maintenance unequalized levy.** For fiscal year  
44.19 2017 and later, a district's long-term facilities maintenance unequalized levy equals the  
44.20 difference between the district's revenue under subdivision 1 and the district's equalization  
44.21 revenue under subdivision 7.

44.22 **EFFECTIVE DATE.** This section is effective for revenue in fiscal year 2017 and  
44.23 later.

44.24 Sec. 9. Minnesota Statutes 2015 Supplement, section 123B.595, subdivision 9, is  
44.25 amended to read:

44.26 Subd. 9. **Long-term facilities maintenance equalized aid.** For fiscal year 2017  
44.27 and later, a district's long-term facilities maintenance equalized aid equals its long-term  
44.28 facilities maintenance equalization revenue minus its long-term facilities maintenance  
44.29 equalized levy times the ratio of the actual equalized amount levied to the permitted  
44.30 equalized levy.

44.31 **EFFECTIVE DATE.** This section is effective for revenue in fiscal year 2017 and  
44.32 later.

45.1 Sec. 10. Minnesota Statutes 2015 Supplement, section 123B.595, subdivision 10,  
45.2 is amended to read:

45.3 Subd. 10. **Allowed uses for long-term facilities maintenance revenue.** (a) A  
45.4 district may use revenue under this section for any of the following:

45.5 (1) deferred capital expenditures and maintenance projects necessary to prevent  
45.6 further erosion of facilities;

45.7 (2) increasing accessibility of school facilities; ~~or~~

45.8 (3) health and safety capital projects under section 123B.57; or

45.9 (4) by board resolution, to transfer money from the general fund reserve for long-term  
45.10 facilities maintenance to the debt redemption fund to pay the amounts needed to meet,  
45.11 when due, principal and interest on general obligation bonds issued under subdivision 5.

45.12 (b) A charter school may use revenue under this section for any purpose related  
45.13 to the school.

45.14 **EFFECTIVE DATE.** This section is effective for revenue in fiscal year 2017 and  
45.15 later.

45.16 Sec. 11. Minnesota Statutes 2015 Supplement, section 123B.595, subdivision 11,  
45.17 is amended to read:

45.18 Subd. 11. **Restrictions on long-term facilities maintenance revenue.**

45.19 Notwithstanding subdivision ~~11~~ 10, long-term facilities maintenance revenue may not  
45.20 be used:

45.21 (1) for the construction of new facilities, remodeling of existing facilities, or the  
45.22 purchase of portable classrooms;

45.23 (2) to finance a lease purchase agreement, installment purchase agreement, or other  
45.24 deferred payments agreement;

45.25 (3) for energy-efficiency projects under section 123B.65, for a building or property  
45.26 or part of a building or property used for postsecondary instruction or administration, or  
45.27 for a purpose unrelated to elementary and secondary education; or

45.28 (4) for violence prevention and facility security, ergonomics, or emergency  
45.29 communication devices.

45.30 **EFFECTIVE DATE.** This section is effective for revenue in fiscal year 2017 and  
45.31 later.

45.32 Sec. 12. Minnesota Statutes 2014, section 123B.60, subdivision 1, is amended to read:

46.1 Subdivision 1. **Bonds.** When a building owned by a district is substantially damaged  
 46.2 by an act of God or other means beyond the control of the district, the district may issue  
 46.3 general obligation bonds without an election to provide money immediately to carry  
 46.4 out its adopted ~~health and safety~~ long-term facilities maintenance program. Each year  
 46.5 the district must pledge an attributable share of its ~~health and safety~~ long-term facilities  
 46.6 maintenance revenue to the repayment of principal and interest on the bonds. The pledged  
 46.7 revenue must be ~~transferred to~~ recognized in the debt redemption fund of the district. The  
 46.8 district must submit to the department the repayment schedule for any bonds issued under  
 46.9 this section. The district must deposit in the debt redemption fund all proceeds received  
 46.10 for specific costs for which the bonds were issued, including but not limited to:

- 46.11 (1) insurance proceeds;  
 46.12 (2) restitution proceeds; and  
 46.13 (3) proceeds of litigation or settlement of a lawsuit.

46.14 Before bonds are issued, the district must submit ~~a combined~~ an amended  
 46.15 application to the commissioner for ~~health and safety~~ long-term facilities maintenance  
 46.16 revenue, according to section ~~123B.57, and requesting review and comment, according~~  
 46.17 ~~to section 123B.71, subdivisions 8, 9, 11, and 12~~ 123B.595. The commissioner shall  
 46.18 complete all procedures concerning the combined application within 20 days of receiving  
 46.19 the application. The publication provisions of section 123B.71, subdivision 12, do not  
 46.20 apply to bonds issued under this section.

46.21 **EFFECTIVE DATE.** This section is effective for revenue in fiscal year 2017 and  
 46.22 later.

46.23 Sec. 13. Minnesota Statutes 2014, section 123B.71, subdivision 8, is amended to read:

46.24 Subd. 8. **Review and comment.** A school district, a special education cooperative,  
 46.25 or a cooperative unit of government, as defined in section 123A.24, subdivision 2,  
 46.26 must not initiate an installment contract for purchase or a lease agreement, hold a  
 46.27 referendum for bonds, nor solicit bids for new construction, expansion, or remodeling of  
 46.28 an educational facility that requires an expenditure in excess of \$500,000 per school site if  
 46.29 it has a capital loan outstanding, or \$2,000,000 per school site if it does not have a capital  
 46.30 loan outstanding, prior to review and comment by the commissioner. A facility addition,  
 46.31 maintenance project, or remodeling project funded only with general education revenue,  
 46.32 ~~deferred maintenance revenue, alternative facilities bonding and levy program revenue,~~  
 46.33 lease levy proceeds, capital facilities bond proceeds, or ~~health and safety~~ long-term  
 46.34 facilities maintenance revenue is exempt from this provision. A capital project under  
 46.35 section 123B.63 addressing only technology is exempt from this provision if the district

47.1 submits a school board resolution stating that funds approved by the voters will be used  
47.2 only as authorized in section 126C.10, subdivision 14. A school board shall not separate  
47.3 portions of a single project into components to avoid the requirements of this subdivision.

47.4 **EFFECTIVE DATE.** This section is effective the day following final enactment  
47.5 and applies to review and comments for projects funded with revenue for fiscal year  
47.6 2017 and later.

47.7 Sec. 14. Minnesota Statutes 2014, section 123B.79, subdivision 5, is amended to read:

47.8 Subd. 5. **Deficits; exception.** For the purposes of this section, a permanent transfer  
47.9 includes creating a deficit in a nonoperating fund for a period past the end of the current  
47.10 fiscal year which is covered by moneys in an operating fund. ~~However,~~ A deficit in the  
47.11 ~~capital expenditure fund~~ reserve for operating capital account pursuant to section 123B.78,  
47.12 subdivision 5, does not constitute a permanent transfer.

47.13 Sec. 15. Minnesota Statutes 2014, section 123B.79, subdivision 8, is amended to read:

47.14 Subd. 8. **Account transfer for reorganizing districts.** A district that has  
47.15 reorganized according to sections 123A.35 to 123A.43, 123A.46, or 123A.48, or has  
47.16 conducted a successful referendum on the question of combination under section  
47.17 123A.37, subdivision 2, or consolidation under section 123A.48, subdivision 15, or has  
47.18 been assigned an identification number by the commissioner under section 123A.48,  
47.19 subdivision 16, may make permanent transfers between any of the funds or accounts in  
47.20 the newly created or enlarged district with the exception of the debt redemption fund,  
47.21 building construction fund, food service fund, and health and safety long-term facilities  
47.22 maintenance account of the ~~capital expenditure~~ general fund. Fund transfers under this  
47.23 section may be made for up to one year prior to the effective date of combination or  
47.24 consolidation by the consolidating boards and during the year following the effective date  
47.25 of reorganization by the consolidated board. The newly formed board of the combined  
47.26 district may adopt a resolution on or before August 30 of the year of the reorganization  
47.27 authorizing a transfer among accounts or funds of the previous independent school  
47.28 districts which transfer or transfers shall be reported in the affected districts' audited  
47.29 financial statements for the year immediately preceding the consolidation.

47.30 Sec. 16. Minnesota Statutes 2014, section 123B.79, subdivision 9, is amended to read:

47.31 Subd. 9. **Elimination of reserve accounts.** ~~A school board shall eliminate all~~  
47.32 ~~reserve accounts established in the school district's general fund under Minnesota Statutes~~  
47.33 ~~before July 1, 2006, for which no specific authority remains in statute as of June 30, 2007.~~

48.1 Any balance in the district's reserved ~~for bus purchases account~~ for deferred maintenance  
 48.2 as of June 30, ~~2007~~ 2016, shall be transferred to the reserved account for ~~operating capital~~  
 48.3 long-term facilities maintenance in the school district's general fund. ~~Any balance in~~  
 48.4 ~~other reserved accounts established in the school district's general fund under Minnesota~~  
 48.5 ~~Statutes before July 1, 2006, for which no specific authority remains in statute as of June~~  
 48.6 ~~30, 2007, shall be transferred to the school district's unreserved general fund balance.~~  
 48.7 ~~A school board may, upon adoption of a resolution by the school board, establish a~~  
 48.8 ~~designated account for any program for which a reserved account has been eliminated.~~  
 48.9 Any balance in the district's reserved account for health and safety as of June 30, 2019,  
 48.10 shall be transferred to the unassigned fund balance account in the district's general fund.  
 48.11 Any balance in the district's reserved account for alternative facilities as of June 30, 2016,  
 48.12 shall be transferred to the reserved account for long-term facilities maintenance in the  
 48.13 district's building construction fund.

48.14 **EFFECTIVE DATE.** This section is effective July 1, 2016, for fiscal year 2017  
 48.15 and later.

48.16 Sec. 17. Minnesota Statutes 2014, section 126C.40, subdivision 5, is amended to read:

48.17 Subd. 5. **Energy conservation.** ~~For loans approved before March 1, 1998, the~~  
 48.18 ~~district may annually include as revenue under section 123B.53, without the approval of a~~  
 48.19 ~~majority of the voters in the district, an amount sufficient to repay the annual principal and~~  
 48.20 ~~interest of the loan made pursuant to sections 216C.37 and 298.292 to 298.298. For energy~~  
 48.21 ~~loans approved after March 1, 1998, under sections 216C.37 and 298.292 to 298.298,~~  
 48.22 school districts must annually transfer from the general fund to the debt redemption fund  
 48.23 the amount sufficient to pay interest and principal on the loans.

48.24 **EFFECTIVE DATE.** This section is effective for revenue in fiscal year 2017 and  
 48.25 later.

48.26 Sec. 18. Minnesota Statutes 2015 Supplement, section 126C.48, subdivision 8, is  
 48.27 amended to read:

48.28 Subd. 8. **Taconite payment and other reductions.** (1) Reductions in levies  
 48.29 pursuant to subdivision 1 must be made prior to the reductions in clause (2).

48.30 (2) Notwithstanding any other law to the contrary, districts that have revenue  
 48.31 pursuant to sections 298.018; 298.225; 298.24 to 298.28, except an amount distributed  
 48.32 under sections 298.26; 298.28, subdivision 4, paragraphs (c), clause (ii), and (d); 298.34 to  
 48.33 298.39; 298.391 to 298.396; 298.405; 477A.15; and any law imposing a tax upon severed



49.1 mineral values must reduce the levies authorized by this chapter and chapters 120B, 122A,  
49.2 123A, 123B, 124A, 124D, 125A, and 127A, excluding the student achievement levy  
49.3 under section 126C.13, subdivision 3b, by 95 percent of the sum of the previous year's  
49.4 revenue specified under this clause and the amount attributable to the same production  
49.5 year distributed to the cities and townships within the school district under section 298.28,  
49.6 subdivision 2, paragraph (c).

49.7 (3) The amount of any voter approved referendum, facilities down payment, and  
49.8 debt levies shall not be reduced by more than 50 percent under this subdivision, except  
49.9 that payments under section 298.28, subdivision 7a, may reduce the debt service levy by  
49.10 more than 50 percent. In administering this paragraph, the commissioner shall first reduce  
49.11 the nonvoter approved levies of a district; then, if any payments, severed mineral value  
49.12 tax revenue or recognized revenue under paragraph (2) remains, the commissioner shall  
49.13 reduce any voter approved referendum levies authorized under section 126C.17; then, if  
49.14 any payments, severed mineral value tax revenue or recognized revenue under paragraph  
49.15 (2) remains, the commissioner shall reduce any voter approved facilities down payment  
49.16 levies authorized under section 123B.63 and then, if any payments, severed mineral value  
49.17 tax revenue or recognized revenue under paragraph (2) remains, the commissioner shall  
49.18 reduce any voter approved debt levies.

49.19 (4) Before computing the reduction pursuant to this subdivision of the ~~health and~~  
49.20 ~~safety long-term facilities maintenance~~ levy authorized by ~~sections 123B.57 and 126C.40,~~  
49.21 ~~subdivision 5~~ section 123B.595, the commissioner shall ascertain from each affected  
49.22 school district the amount it proposes to levy ~~under each section or subdivision~~. The  
49.23 reduction shall be computed on the basis of the amount so ascertained.

49.24 (5) To the extent the levy reduction calculated under paragraph (2) exceeds the  
49.25 limitation in paragraph (3), an amount equal to the excess must be distributed from the  
49.26 school district's distribution under sections 298.225, 298.28, and 477A.15 in the following  
49.27 year to the cities and townships within the school district in the proportion that their  
49.28 taxable net tax capacity within the school district bears to the taxable net tax capacity of  
49.29 the school district for property taxes payable in the year prior to distribution. No city or  
49.30 township shall receive a distribution greater than its levy for taxes payable in the year prior  
49.31 to distribution. The commissioner of revenue shall certify the distributions of cities and  
49.32 towns under this paragraph to the county auditor by September 30 of the year preceding  
49.33 distribution. The county auditor shall reduce the proposed and final levies of cities and  
49.34 towns receiving distributions by the amount of their distribution. Distributions to the cities  
49.35 and towns shall be made at the times provided under section 298.27.

50.1 **EFFECTIVE DATE.** This section is effective for revenue in fiscal year 2017 and  
50.2 later.

50.3 Sec. 19. Minnesota Statutes 2014, section 126C.63, subdivision 7, is amended to read:

50.4 Subd. 7. **Required debt service levy.** "Required debt service levy" means the total  
50.5 dollar amount needed to be included in the taxes levied by the district in any year for  
50.6 payment of interest and principal falling due on its debts prior to collection of the next  
50.7 ensuing year's debt service levy excluding the debt service levy for obligations under  
50.8 sections 123B.595, 123B.61, and 123B.62.

50.9 **EFFECTIVE DATE.** This section is effective for revenue in fiscal year 2017 and  
50.10 later.

50.11 Sec. 20. **REPEALER.**

50.12 Minnesota Statutes 2014, sections 123B.60, subdivision 2; and 123B.79,  
50.13 subdivisions 2 and 6, are repealed for fiscal year 2017 and later.

50.14 **ARTICLE 6**

50.15 **SELF-SUFFICIENCY AND LIFELONG LEARNING**

50.16 Section 1. Minnesota Statutes 2014, section 124D.52, subdivision 1, is amended to read:

50.17 Subdivision 1. **Program requirements.** (a) An adult basic education program is  
50.18 a day or evening program offered by a district that is for people ~~over 16 years of age~~  
50.19 who do not attend an elementary or secondary school and are not subject to compulsory  
50.20 attendance. The program offers academic and English language instruction necessary to  
50.21 earn a high school diploma or equivalency certificate.

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

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

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

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

51.9 Sec. 2. Minnesota Statutes 2014, section 124D.52, subdivision 2, is amended to read:

51.10 Subd. 2. **Program approval.** (a) To receive aid under this section, a district, a  
51.11 ~~consortium of districts,~~ the Department of Corrections, ~~or~~ a private nonprofit organization,  
51.12 or a consortium including districts, nonprofit organizations, or both must submit an  
51.13 application by June 1 describing the program, on a form provided by the department. The  
51.14 program must be approved by the commissioner according to the following criteria:

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

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

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

51.19 (4) coordination with other resources and services;

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

51.21 (6) management and program design;

51.22 (7) volunteer training and use of volunteers;

51.23 (8) staff development services;

51.24 (9) program sites and schedules;

51.25 (10) program expenditures that qualify for aid;

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

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

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

51.33 (1) offer comprehensive learning opportunities and support service choices

51.34 appropriate for and accessible to adults at all basic skill and English language levels of need;

- 52.1 (2) provide a participatory and experiential learning approach based on the strengths,  
52.2 interests, and needs of each adult, that enables adults with basic skill needs to:
- 52.3 (i) identify, plan for, and evaluate their own progress toward achieving their defined  
52.4 educational and occupational goals;
- 52.5 (ii) master the basic academic reading, writing, and computational skills, as well  
52.6 as the problem-solving, decision making, interpersonal effectiveness, and other life and  
52.7 learning skills they need to function effectively in a changing society;
- 52.8 (iii) locate and be able to use the health, governmental, and social services and  
52.9 resources they need to improve their own and their families' lives; and
- 52.10 (iv) continue their education, if they desire, to at least the level of secondary school  
52.11 completion, with the ability to secure and benefit from continuing education that will  
52.12 enable them to become more employable, productive, and responsible citizens;
- 52.13 (3) plan, coordinate, and develop cooperative agreements with community resources  
52.14 to address the needs that the adults have for support services, such as transportation, English  
52.15 language learning, flexible course scheduling, convenient class locations, and child care;
- 52.16 (4) collaborate with business, industry, labor unions, and employment-training  
52.17 agencies, as well as with family and occupational education providers, to arrange for  
52.18 resources and services through which adults can attain economic self-sufficiency;
- 52.19 (5) provide sensitive and well trained adult education personnel who participate in  
52.20 local, regional, and statewide adult basic education staff development events to master  
52.21 effective adult learning and teaching techniques;
- 52.22 (6) participate in regional adult basic education peer program reviews and evaluations;
- 52.23 (7) submit accurate and timely performance and fiscal reports;
- 52.24 (8) submit accurate and timely reports related to program outcomes and learner  
52.25 follow-up information; and
- 52.26 (9) spend adult basic education aid on adult basic education purposes only, which  
52.27 are specified in sections 124D.518 to 124D.531.
- 52.28 (c) The commissioner shall require each district to provide notification by February  
52.29 1, 2001, of its intent to apply for funds under this section as a single district or as part of  
52.30 ~~an identified~~ a consortium of districts. A district receiving funds under this section must  
52.31 notify the commissioner by February 1 of its intent to change its application status for  
52.32 applications due the following June 1.

53.1 **ARTICLE 7**

53.2 **TEACHERS**

53.3 Section 1. Minnesota Statutes 2014, section 120B.11, as amended by Laws 2015, First  
53.4 Special Session chapter 3, article 3, section 5, is amended to read:

53.5 **120B.11 SCHOOL DISTRICT PROCESS FOR REVIEWING CURRICULUM,**  
53.6 **INSTRUCTION, AND STUDENT ACHIEVEMENT; STRIVING FOR THE**  
53.7 **WORLD'S BEST WORKFORCE.**

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

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

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

53.16 (c) "World's best workforce" means striving to: meet school readiness goals; have  
53.17 all third grade students achieve grade-level literacy; close the academic achievement gap  
53.18 among all racial and ethnic groups of students and between students living in poverty  
53.19 and students not living in poverty; have all students attain career and college readiness  
53.20 before graduating from high school; ~~and~~ have all students graduate from high school; and  
53.21 provide all enrolled students with equitable access to effective and more diverse teachers,  
53.22 including teachers who are members of populations underrepresented among the licensed  
53.23 teachers in the district or school, and who reflect the diversity of students under section  
53.24 120B.35, subdivision 3, paragraph (b), clause (2), enrolled in the district or school.

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

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

53.31 (1) student performance on the National Assessment of Education Progress where  
53.32 applicable;

53.33 (2) the size of the academic achievement gap, rigorous course taking under section  
53.34 120B.35, subdivision 3, paragraph (c), clause (2), and enrichment experiences by student  
53.35 subgroup;

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

54.1 (4) high school graduation rates; **and**  
 54.2 (5) career and college readiness under section 120B.30, subdivision 1; and  
 54.3 (6) the number and percent of teachers who are members of populations  
 54.4 underrepresented among the licensed teachers in the district or school and who reflect the  
 54.5 diversity of students under section 120B.35, subdivision 3, paragraph (b), clause (2),  
 54.6 enrolled in the district or school.

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

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

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

54.17 (3) a system to periodically review and evaluate the effectiveness of all instruction  
 54.18 and curriculum, taking into account strategies and best practices, student outcomes, school  
 54.19 principal evaluations under section 123B.147, subdivision 3, students' access to effective  
 54.20 teachers who are members of populations underrepresented among the licensed teachers  
 54.21 in the district or school and who reflect the diversity of enrolled students under section  
 54.22 120B.35, subdivision 3, paragraph (b), clause (2), and teacher evaluations under section  
 54.23 122A.40, subdivision 8, or 122A.41, subdivision 5;

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

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

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

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

55.1 to the extent appropriate and practicable. The district advisory committee shall pursue  
55.2 community support to accelerate the academic and native literacy and achievement of  
55.3 English learners with varied needs, from young children to adults, consistent with section  
55.4 124D.59, subdivisions 2 and 2a. The district may establish site teams as subcommittees  
55.5 of the district advisory committee under subdivision 4. The district advisory committee  
55.6 shall recommend to the school board rigorous academic standards, student achievement  
55.7 goals and measures consistent with subdivision 1a and sections 120B.022, subdivisions 1a  
55.8 and 1b, and 120B.35, district assessments, means to improve students' equitable access to  
55.9 effective and more diverse teachers, and program evaluations. School sites may expand  
55.10 upon district evaluations of instruction, curriculum, assessments, or programs. Whenever  
55.11 possible, parents and other community residents shall comprise at least two-thirds of  
55.12 advisory committee members.

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

55.21 Subd. 5. **Report.** Consistent with requirements for school performance reports  
55.22 under section 120B.36, subdivision 1, the school board shall publish a report in the local  
55.23 newspaper with the largest circulation in the district, by mail, or by electronic means on  
55.24 the district Web site. The school board shall hold an annual public meeting to review, and  
55.25 revise where appropriate, student achievement goals, local assessment outcomes, plans,  
55.26 strategies, and practices for improving curriculum and instruction and cultural competency  
55.27 and all students' increased and equitable access to effective and more diverse teachers, and  
55.28 to review district success in realizing the previously adopted student achievement goals  
55.29 and related benchmarks and the improvement plans leading to the world's best workforce.  
55.30 The school board must transmit an electronic summary of its report to the commissioner in  
55.31 the form and manner the commissioner determines.

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

56.1 Subd. 9. **Annual evaluation.** (a) The commissioner must identify effective  
56.2 strategies, practices, and use of resources by districts and school sites in striving for the  
56.3 world's best workforce. The commissioner must assist districts and sites throughout the  
56.4 state in implementing these effective strategies, practices, and use of resources, and in  
56.5 providing all enrolled students, including low-income students, American Indian students,  
56.6 and students of color with improved and equitable access to effective and more diverse  
56.7 teachers.

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

56.18 (c) The commissioner shall report by January 25 of each year to the committees of  
56.19 the legislature having jurisdiction over kindergarten through grade 12 education the list of  
56.20 school districts that have not submitted their report to the commissioner under subdivision  
56.21 5 and the list of school districts not achieving their performance goals established in  
56.22 their plan under subdivision 2.

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

56.25 Sec. 2. Minnesota Statutes 2014, section 120B.11, subdivision 5, is amended to read:

56.26 Subd. 5. **Report.** (a) Consistent with requirements for school performance reports  
56.27 under section 120B.36, subdivision 1, and paragraph (b), the school board shall publish  
56.28 a report in the local newspaper with the largest circulation in the district, by mail, or  
56.29 by electronic means on the district Web site. The school board shall hold an annual  
56.30 public meeting to review, and revise where appropriate, student achievement goals,  
56.31 local assessment outcomes, plans, strategies, and practices for improving curriculum  
56.32 and instruction and cultural competency, and to review district success in realizing  
56.33 the previously adopted student achievement goals and related benchmarks and the  
56.34 improvement plans leading to the world's best workforce. The school board must transmit



57.1 an electronic summary of its report to the commissioner in the form and manner the  
57.2 commissioner determines.

57.3 (b) Each school board must include in its annual report under paragraph (a) data on:

57.4 (1) the number of licensed teachers employed by the district who self-identify as  
57.5 non-Caucasian and who are members of a population underrepresented among licensed  
57.6 teachers in the district;

57.7 (2) the number of community experts providing instruction in the district during the  
57.8 school year and the subject areas they teach;

57.9 (3) the school year testing schedule for the district showing grade levels and  
57.10 assessments and the time allotted for each assessment; and

57.11 (4) the class sizes for the district's prekindergarten through grade 6 classrooms.

57.12 The format for reporting the data must comply with the model data-reporting format  
57.13 developed by the commissioner.

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

57.16 Sec. 3. Minnesota Statutes 2014, section 120B.35, subdivision 3, is amended to read:

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

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

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

57.32 (2) for all student categories, report and compare aggregated and disaggregated state  
57.33 growth data using the ~~nine~~ student categories identified under the federal 2001 No Child  
57.34 ~~Left Behind Act and two student gender categories of male and female, respectively~~

58.1 Elementary and Secondary Education Act, as most recently reauthorized, following  
58.2 appropriate reporting practices to protect nonpublic student data.

58.3 The commissioner must report measures of student growth, consistent with this  
58.4 paragraph, including the English language development, academic progress, and oral  
58.5 academic development of English learners and their native language development if the  
58.6 native language is used as a language of instruction.

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

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

58.16 (2) a rigorous coursework measure indicating the number and percentage of high  
58.17 school graduates in the most recent school year who successfully completed one or more  
58.18 college-level advanced placement, international baccalaureate, postsecondary enrollment  
58.19 options including concurrent enrollment, other rigorous courses of study under section  
58.20 120B.021, subdivision 1a, or industry certification courses or programs.

58.21 When reporting the core measures under clauses (1) and (2), the commissioner must also  
58.22 analyze and report separate categories of information using the nine student categories  
58.23 identified under the federal ~~2001 No Child Left Behind Act and two student gender~~  
58.24 ~~categories of male and female, respectively~~ Elementary and Secondary Education Act, as  
58.25 most recently reauthorized, following appropriate reporting practices to protect nonpublic  
58.26 student data.

58.27 (d) When reporting student performance under section 120B.36, subdivision 1, the  
58.28 commissioner annually, beginning July 1, 2014, must report summary data on school  
58.29 safety and students' engagement and connection at school. The summary data under this  
58.30 paragraph are separate from and must not be used for any purpose related to measuring  
58.31 or evaluating the performance of classroom teachers. The commissioner, in consultation  
58.32 with qualified experts on student engagement and connection and classroom teachers,  
58.33 must identify highly reliable variables that generate summary data under this paragraph.  
58.34 The summary data may be used at school, district, and state levels only. Any data on  
58.35 individuals received, collected, or created that are used to generate the summary data  
58.36 under this paragraph are nonpublic data under section 13.02, subdivision 9.

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

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

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

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

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

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

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

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

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

59.18 (f) The commissioner, in consultation with recognized experts with knowledge and  
59.19 experience in assessing the language proficiency and academic performance of English  
59.20 learners, must identify and report appropriate and effective measures to improve current  
59.21 categories of language difficulty and assessments, and monitor and report data on students'  
59.22 English proficiency levels, program placement, and academic language development,  
59.23 including oral academic language.

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

59.26 Sec. 4. Minnesota Statutes 2014, section 122A.09, as amended by Laws 2015, chapter  
59.27 69, article 2, section 3, and Laws 2015, First Special Session chapter 3, article 2, sections  
59.28 9 to 11, is amended to read:

59.29 **122A.09 DUTIES.**

59.30 Subdivision 1. **Code of ethics.** The Board of Teaching must develop by rule a code  
59.31 of ethics covering standards of professional teaching practices, including areas of ethical  
59.32 conduct and professional performance and methods of enforcement.

59.33 Subd. 2. **Advise members of profession.** The board must act in an advisory  
59.34 capacity to members of the profession in matters of interpretation of the code of ethics.

60.1           Subd. 3. **Election of chair and officers.** The board shall elect a chair and such  
60.2 other officers as it may deem necessary.

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

60.5           (b) The board must require all candidates for teacher licensure to demonstrate a  
60.6 passing score on a board-adopted skills examination in reading, writing, and mathematics,  
60.7 as a requirement for an initial teacher licensure professional five-year teaching license,  
60.8 except that the board may issue up to four ~~temporary~~, initial professional one-year teaching  
60.9 licenses to an otherwise qualified candidate who has not yet passed the board-adopted  
60.10 skills exam. The board must require colleges and universities offering a board-approved  
60.11 teacher preparation program to provide remedial assistance to persons who did not achieve  
60.12 a qualifying score on the board-adopted skills examination, including those for whom  
60.13 English is a second language. The requirement to pass a board-adopted reading, writing,  
60.14 and mathematics skills examination does not apply to nonnative English speakers, as  
60.15 verified by qualified Minnesota school district personnel or Minnesota higher education  
60.16 faculty, who, after meeting the content and pedagogy requirements under this subdivision,  
60.17 apply for a teaching license to provide direct instruction in their native language or world  
60.18 language instruction under section 120B.022, subdivision 1. The Board of Teaching and  
60.19 the entity administering the content, pedagogy, and skills examinations must allow any  
60.20 individual who produces documentation of a disability in the form of an evaluation, 504  
60.21 plan, or individual education program (IEP) to receive the same testing accommodations  
60.22 on the content, pedagogy, and skills examinations that the applicant received during their  
60.23 secondary or postsecondary education.

60.24           (c) The board must adopt rules to approve teacher preparation programs. The board,  
60.25 upon the request of a postsecondary student preparing for teacher licensure or a licensed  
60.26 graduate of a teacher preparation program, shall assist in resolving a dispute between the  
60.27 person and a postsecondary institution providing a teacher preparation program when the  
60.28 dispute involves an institution's recommendation for licensure affecting the person or the  
60.29 person's credentials. At the board's discretion, assistance may include the application  
60.30 of chapter 14.

60.31           (d) The board must provide the leadership and adopt rules for the redesign of teacher  
60.32 education programs to implement a research based, results-oriented curriculum that  
60.33 focuses on the skills teachers need in order to be effective. Among other components,  
60.34 teacher preparation programs may use the Minnesota State Colleges and Universities  
60.35 program model to provide a school-year-long student teaching program that combines  
60.36 clinical opportunities with academic coursework and in-depth student teaching

61.1 experiences to offer students ongoing mentorship, coaching, and assessment, help to  
61.2 prepare a professional development plan, and structured learning experiences. The board  
61.3 shall implement new systems of teacher preparation program evaluation to assure program  
61.4 effectiveness based on proficiency of graduates in demonstrating attainment of program  
61.5 outcomes. Teacher preparation programs including alternative teacher preparation  
61.6 programs under section 122A.245, among other programs, must include a content-specific,  
61.7 board-approved, performance-based assessment that measures teacher candidates in three  
61.8 areas: planning for instruction and assessment; engaging students and supporting learning;  
61.9 and assessing student learning. The board's redesign rules must include creating flexible,  
61.10 specialized teaching licenses, credentials, and other endorsement forms to increase  
61.11 students' participation in language immersion programs, world language instruction,  
61.12 career development opportunities, work-based learning, early college courses and careers,  
61.13 career and technical programs, Montessori schools, and project and place-based learning,  
61.14 among other career and college ready learning offerings.

61.15 (e) The board must adopt rules requiring candidates for ~~initial~~ professional  
61.16 five-year teaching licenses to pass an examination of general pedagogical knowledge  
61.17 and examinations of licensure-specific teaching skills. The rules shall be effective by  
61.18 September 1, 2001. The rules under this paragraph also must require candidates for initial  
61.19 licenses to teach prekindergarten or elementary students to pass, as part of the examination  
61.20 of licensure-specific teaching skills, test items assessing the candidates' knowledge,  
61.21 skill, and ability in comprehensive, scientifically based reading instruction under section  
61.22 122A.06, subdivision 4, and their knowledge and understanding of the foundations of  
61.23 reading development, the development of reading comprehension, and reading assessment  
61.24 and instruction, and their ability to integrate that knowledge and understanding.

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

61.28 (g) The board must grant licenses to interns and to candidates for ~~initial~~ professional  
61.29 five-year teaching licenses based on appropriate professional competencies that are  
61.30 aligned with the board's licensing system and students' diverse learning needs. All teacher  
61.31 candidates must have preparation in English language development and content instruction  
61.32 for English learners in order to be able to effectively instruct the English learners in their  
61.33 classrooms. The board must include these licenses in a statewide differentiated licensing  
61.34 system that creates new leadership roles for successful experienced teachers premised on a  
61.35 collaborative professional culture dedicated to meeting students' diverse learning needs  
61.36 in the 21st century, recognizes the importance of cultural and linguistic competencies,

62.1 including the ability to teach and communicate in culturally competent and aware ways,  
 62.2 and formalizes mentoring and induction for newly licensed teachers provided through a  
 62.3 teacher support framework.

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

62.7 ~~(h)~~ (h) The board must receive recommendations from local committees as established  
 62.8 by the board for the renewal of teaching licenses. The board must require a licensed  
 62.9 ~~teachers~~ teacher who are is renewing a ~~continuing license~~ professional five-year teaching  
 62.10 license to include in the renewal requirements further preparation in English language  
 62.11 development and specially designed content instruction in English for English learners.

62.12 ~~(i)~~ (i) The board must grant ~~life~~ lifetime substitute licenses to those who qualify  
 62.13 according to board requirements established ~~by the board~~, and suspend or revoke licenses  
 62.14 ~~pursuant to~~ under sections 122A.20 and 214.10. The board must not establish any  
 62.15 expiration date for application for ~~life~~ lifetime substitute licenses.

62.16 ~~(j)~~ (j) The board must adopt rules that require all licensed teachers who are renewing  
 62.17 their ~~continuing license~~ professional five-year teaching licenses to include in their renewal  
 62.18 requirements further preparation in the areas of using positive behavior interventions  
 62.19 and in accommodating, modifying, and adapting curricula, materials, and strategies to  
 62.20 appropriately meet the needs of individual students and ensure adequate progress toward  
 62.21 the state's graduation rule.

62.22 ~~(k)~~ (k) In adopting rules to license public school teachers who provide health-related  
 62.23 services for disabled children, the board shall adopt rules consistent with license or  
 62.24 registration requirements of the commissioner of health and the health-related boards who  
 62.25 license personnel who perform similar services outside of the school.

62.26 ~~(l)~~ (l) The board must adopt rules that require all licensed teachers who are  
 62.27 renewing their ~~continuing license~~ professional five-year teaching licenses to include in  
 62.28 their renewal requirements further reading preparation, consistent with section 122A.06,  
 62.29 subdivision 4. The rules do not take effect until they are approved by law. Teachers who  
 62.30 do not provide direct instruction including, at least, counselors, school psychologists,  
 62.31 school nurses, school social workers, audiovisual directors and coordinators, and  
 62.32 recreation personnel are exempt from this section.

62.33 ~~(m)~~ (m) The board must adopt rules that require all licensed teachers who are  
 62.34 renewing their ~~continuing license~~ professional five-year teaching licenses to include  
 62.35 in their renewal requirements at least one hour of suicide prevention best practices in  
 62.36 each licensure renewal period that are based on nationally recognized evidence-based

63.1 programs and practices and further preparation, first, in understanding the key warning  
63.2 signs of early-onset mental illness in children and adolescents and then, during  
63.3 subsequent licensure renewal periods, preparation may include providing a more in-depth  
63.4 understanding of students' mental illness trauma, accommodations for students' mental  
63.5 illness, parents' role in addressing students' mental illness, Fetal Alcohol Spectrum  
63.6 Disorders, autism, the requirements of section 125A.0942 governing restrictive  
63.7 procedures, and de-escalation methods, among other similar topics.

63.8 (e) (n) The board must adopt rules by January 1, 2016, to license applicants under  
63.9 sections 122A.23 and 122A.245. The rules must permit applicants to demonstrate their  
63.10 qualifications through the board's recognition of a teaching license from another state  
63.11 in a similar content field, completion of a state-approved teacher preparation program,  
63.12 teaching experience as the teacher of record in a similar licensure field, depth of content  
63.13 knowledge, depth of content methods or general pedagogy, subject-specific professional  
63.14 development and contribution to the field, or classroom performance as determined by  
63.15 documented student growth on normed assessments or documented effectiveness on  
63.16 evaluations. The rules must adopt criteria for determining a "similar content field" and  
63.17 "similar licensure area."

63.18 Subd. 4a. **Teacher and administrator preparation and performance data;**  
63.19 **report.** (a) The Board of Teaching and the Board of School Administrators, in cooperation  
63.20 with the Minnesota Association of Colleges of Teacher Education and Minnesota colleges  
63.21 and universities offering board-adopted teacher or administrator preparation programs,  
63.22 annually must collect and report summary data on teacher and administrator preparation  
63.23 and performance outcomes, consistent with this subdivision. The Board of Teaching  
63.24 and the Board of School Administrators annually by June 1 must update and post the  
63.25 reported summary preparation and performance data on teachers and administrators from  
63.26 the preceding school years on a Web site hosted jointly by the boards.

63.27 (b) Publicly reported summary data on teacher preparation programs must include:  
63.28 student entrance requirements for each Board of Teaching-approved program, including  
63.29 grade point average for enrolling students in the preceding year; the average board-adopted  
63.30 skills examination or ACT or SAT scores of students entering the program in the preceding  
63.31 year; summary data on faculty qualifications, including at least the content areas of faculty  
63.32 undergraduate and graduate degrees and their years of experience either as kindergarten  
63.33 through grade 12 classroom teachers or school administrators; the average time resident  
63.34 and nonresident program graduates in the preceding year needed to complete the program;  
63.35 the current number and percent of students by program who graduated, received a standard  
63.36 Minnesota teaching license, and were hired to teach full time in their licensure field in a

64.1 Minnesota district or school in the preceding year; the number of content area credits and  
64.2 other credits by undergraduate program that students in the preceding school year needed  
64.3 to complete to graduate; students' pass rates on skills and subject matter exams required for  
64.4 graduation in each program and licensure area in the preceding school year; survey results  
64.5 measuring student and graduate satisfaction with the program in the preceding school  
64.6 year; a standard measure of the satisfaction of school principals or supervising teachers  
64.7 with the student teachers assigned to a school or supervising teacher; and information  
64.8 under paragraphs (d) and (e). Program reporting must be consistent with subdivision 11.

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

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

64.29 (e) School districts annually by October 1 must report to the Board of Teaching the  
64.30 following information for all probationary teachers in the district who were released or  
64.31 whose contracts were not renewed from September 1 of the previous year through August  
64.32 31 of the current year: the licensure areas in which the probationary teacher taught; and  
64.33 the teacher preparation program preparing the teacher in the teacher's primary areas of  
64.34 instruction and licensure.

64.35 (f) School districts annually by October 1 must report to the Board of School  
64.36 Administrators the following information for all school principals and assistant principals



65.1 who finished the probationary period and accepted a continuing contract position with the  
65.2 district from September 1 of the previous year through August 31 of the current year: the  
65.3 effectiveness category or rating of the principal or assistant principal on the summative  
65.4 evaluation under section 123B.147, subdivision 3; and the principal preparation program  
65.5 providing instruction to the principal or assistant principal.

65.6 (g) School districts annually by October 1 must report to the Board of School  
65.7 Administrators all probationary school principals and assistant principals in the district  
65.8 who were released or whose contracts were not renewed from September 1 of the previous  
65.9 year through August 31 of the current year.

65.10 Subd. 5. **Commissioner's representative to comment on proposed rule.** ~~Prior~~  
65.11 ~~to the adoption by~~ Before the Board of Teaching ~~of~~ adopts any rule ~~which~~ that must be  
65.12 submitted to public hearing, a representative of the commissioner shall appear before the  
65.13 Board of Teaching and at the hearing required ~~pursuant to~~ under section 14.14, subdivision  
65.14 1, to comment on the cost and educational implications of that proposed rule.

65.15 Subd. 6. **Register of persons licensed.** The executive secretary of the Board of  
65.16 Teaching shall keep a record of the proceedings of and a register of all persons licensed  
65.17 pursuant to the provisions of this chapter. The register must show the name, address,  
65.18 license number and the renewal of the license. The board must on July 1, of each year  
65.19 or as soon thereafter as is practicable, compile a list of such duly licensed teachers and  
65.20 transmit a copy of the list to the board. A copy of the register must be available during  
65.21 business hours at the office of the board to any interested person.

65.22 Subd. 7. **Commissioner's assistance; board money.** The commissioner shall  
65.23 provide all necessary materials and assistance for the transaction of the business of the  
65.24 Board of Teaching and all moneys received by the Board of Teaching shall be paid into  
65.25 the state treasury as provided by law. The expenses of administering sections 122A.01,  
65.26 122A.05 to 122A.09, 122A.15, 122A.16, 122A.17, 122A.18, 122A.20, 122A.21, 122A.22,  
65.27 122A.23, 122A.26, 122A.30, 122A.40, 122A.41, 122A.42, 122A.45, 122A.49, 122A.54,  
65.28 122A.55, 122A.56, 122A.57, and 122A.58 which are incurred by the Board of Teaching  
65.29 shall be paid for from appropriations made to the Board of Teaching.

65.30 Subd. 8. **Fraud; gross misdemeanor.** A person who claims to be a licensed teacher  
65.31 without a valid existing license issued by the board or any person who employs fraud or  
65.32 deception in applying for or securing a license is guilty of a gross misdemeanor.

65.33 Subd. 9. **Board may adopt rules.** The Board of Teaching may adopt rules subject  
65.34 to the provisions of chapter 14 to implement sections 122A.05 to 122A.09, 122A.16,  
65.35 122A.17, 122A.18, 122A.20, 122A.21, and 122A.23.

66.1 Subd. 10. **Variance Permissions.** (a) Notwithstanding subdivision 9 and section  
 66.2 ~~14.05, subdivision 4~~ 14.055, the Board of Teaching may grant a variance waivers to its  
 66.3 rules upon application by a school district for purposes of implementing experimental  
 66.4 programs in learning or management.

66.5 (b) To enable a school district to meet the needs of students enrolled in an alternative  
 66.6 education program and to enable licensed teachers instructing those students to satisfy  
 66.7 content area licensure requirements, the Board of Teaching annually may permit a licensed  
 66.8 teacher teaching in an alternative education program to instruct students in a content area  
 66.9 for which the teacher is not licensed, consistent with paragraph (a).

66.10 (c) A special education license variance permission issued by the Board of Teaching  
 66.11 for a primary employer's low-incidence region shall be valid in all low-incidence regions.

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

66.18 **EFFECTIVE DATE.** Subdivision 4, paragraph (m), is effective the day following  
 66.19 final enactment and applies to teachers renewing their teaching licenses beginning August  
 66.20 1, 2017.

66.21 Sec. 5. Minnesota Statutes 2014, section 122A.09, is amended by adding a subdivision  
 66.22 to read:

66.23 **Subd. 12. Endorsement; dual enrollment instruction.** The Board of Teaching  
 66.24 must issue an endorsement for dual enrollment instruction to a high school teacher  
 66.25 licensed in a content-specific field who successfully completes the faculty qualification  
 66.26 requirements established by the Higher Learning Commission. The licensure endorsement  
 66.27 must allow the teacher to provide dual enrollment instruction in the teacher's licensure  
 66.28 field, consistent with board-adopted standards. The board must adopt standards for this  
 66.29 endorsement in consultation with eligible public postsecondary institutions participating  
 66.30 in course agreements under section 124D.09, subdivision 10. The endorsement means a  
 66.31 change in the teacher's license that allows the teacher to teach postsecondary college in  
 66.32 the schools dual credit courses under section 124D.09, subdivision 10, at a high school  
 66.33 without need for additional preparation or supervision.

67.1 **EFFECTIVE DATE.** This section is effective the day following final enactment.  
67.2 The Board of Teaching must start issuing endorsements by September 1, 2017.

67.3 Sec. 6. Minnesota Statutes 2014, section 122A.18, as amended by Laws 2015, First  
67.4 Special Session chapter 3, article 2, sections 14 and 15, is amended to read:

67.5 **122A.18 BOARD TO ISSUE LICENSES.**

67.6 Subdivision 1. **Authority to license.** (a) The Board of Teaching must license  
67.7 teachers, as defined in section 122A.15, subdivision 1, except for supervisory personnel,  
67.8 as defined in section 122A.15, subdivision 2.

67.9 (b) The Board of School Administrators must license supervisory personnel as  
67.10 defined in section 122A.15, subdivision 2, except for athletic coaches.

67.11 (c) Licenses under the jurisdiction of the Board of Teaching, the Board of School  
67.12 Administrators, and the commissioner of education must be issued through the licensing  
67.13 section of the department.

67.14 (d) The Board of Teaching and the Department of Education must enter into a data  
67.15 sharing agreement to share educational data at the E-12 level for the limited purpose  
67.16 of program approval and improvement for teacher education programs. The program  
67.17 approval process must include targeted redesign of teacher preparation programs to  
67.18 address identified E-12 student areas of concern.

67.19 (e) The Board of School Administrators and the Department of Education must enter  
67.20 into a data sharing agreement to share educational data at the E-12 level for the limited  
67.21 purpose of program approval and improvement for education administration programs.  
67.22 The program approval process must include targeted redesign of education administration  
67.23 preparation programs to address identified E-12 student areas of concern.

67.24 (f) For purposes of the data sharing agreements under paragraphs (d) and (e), the  
67.25 Board of Teaching, Board of School Administrators, and Department of Education may  
67.26 share private data, as defined in section 13.02, subdivision 12, on teachers and school  
67.27 administrators. The data sharing agreements must not include educational data, as defined  
67.28 in section 13.32, subdivision 1, but may include summary data, as defined in section  
67.29 13.02, subdivision 19, derived from educational data.

67.30 Subd. 2. **Teacher and support personnel qualifications.** (a) The Board of Teaching  
67.31 must issue licenses under its jurisdiction to persons the board finds to be qualified and  
67.32 competent for their respective positions, including those meeting the standards adopted  
67.33 under section 122A.09, subdivision 4, paragraph ~~(o)~~ (n).

67.34 (b) The board must require a candidate for teacher licensure to demonstrate a passing  
67.35 score on a board-adopted examination of skills in reading, writing, and mathematics,

68.1 before being granted ~~an initial~~ a professional five-year teaching license to provide direct  
68.2 instruction to pupils in prekindergarten, elementary, secondary, or special education  
68.3 programs, except that the board may issue up to four temporary, one-year teaching licenses  
68.4 to an otherwise qualified candidate who has not yet passed a board-adopted skills exam.  
68.5 At the request of the employing school district or charter school, the Board of Teaching  
68.6 may issue ~~a restricted~~ an initial professional one-year teaching license to an otherwise  
68.7 qualified teacher not passing or demonstrating a passing score on a board-adopted skills  
68.8 examination in reading, writing, and mathematics. For purposes of this section, the  
68.9 ~~restricted~~ initial professional one-year teaching license issued by the board is limited to the  
68.10 current subject or content matter the teacher is employed to teach and limited to the district  
68.11 or charter school requesting the ~~restricted~~ initial professional one-year teaching license. If  
68.12 the board denies the request, it must provide a detailed response to the school administrator  
68.13 as to the reasons for the denial. The board must require colleges and universities offering  
68.14 a board approved teacher preparation program to make available upon request remedial  
68.15 assistance that includes a formal diagnostic component to persons enrolled in their  
68.16 institution who did not achieve a qualifying score on a board-adopted skills examination,  
68.17 including those for whom English is a second language. The colleges and universities  
68.18 must make available assistance in the specific academic areas of candidates' deficiency.  
68.19 School districts may make available upon request similar, appropriate, and timely remedial  
68.20 assistance that includes a formal diagnostic component to those persons employed by the  
68.21 district who completed their teacher education program, who did not achieve a qualifying  
68.22 score on a board-adopted skills examination, and who received ~~a temporary~~ an initial  
68.23 professional one-year teaching license to teach in Minnesota. The Board of Teaching  
68.24 shall report annually to the education committees of the legislature on the total number  
68.25 of teacher candidates during the most recent school year taking a board-adopted skills  
68.26 examination, the number who achieve a qualifying score on the examination, the number  
68.27 who do not achieve a qualifying score on the examination, and the candidates who have  
68.28 not passed a content or pedagogy exam, disaggregated by categories of race, ethnicity,  
68.29 and eligibility for financial aid.

68.30 (c) The Board of Teaching must grant ~~continuing~~ professional five-year teaching  
68.31 licenses only to those persons who have met board criteria for ~~granting a continuing~~ that  
68.32 license, which includes passing a board-adopted skills examination in reading, writing, and  
68.33 mathematics, and the exceptions in section 122A.09, subdivision 4, paragraph (b), that are  
68.34 consistent with this paragraph. The requirement to pass a board-adopted reading, writing,  
68.35 and mathematics skills examination, does not apply to nonnative English speakers, as  
68.36 verified by qualified Minnesota school district personnel or Minnesota higher education

69.1 faculty, who, after meeting the content and pedagogy requirements under this subdivision,  
69.2 apply for a professional five-year teaching license to provide direct instruction in their  
69.3 native language or world language instruction under section 120B.022, subdivision 1.

69.4 (d) All colleges and universities approved by the board of teaching to prepare persons  
69.5 for teacher licensure must include in their teacher preparation programs a common core  
69.6 of teaching knowledge and skills to be acquired by all persons recommended for teacher  
69.7 licensure. Among other requirements, teacher candidates must demonstrate the knowledge  
69.8 and skills needed to provide appropriate instruction to English learners to support and  
69.9 accelerate their academic literacy, including oral academic language, and achievement in  
69.10 content areas in a regular classroom setting. This common core shall meet the standards  
69.11 developed by the interstate new teacher assessment and support consortium in its 1992  
69.12 "model standards for beginning teacher licensing and development." Amendments to  
69.13 standards adopted under this paragraph are covered by chapter 14. The board of teaching  
69.14 shall report annually to the education committees of the legislature on the performance  
69.15 of teacher candidates on common core assessments of knowledge and skills under this  
69.16 paragraph during the most recent school year.

69.17 Subd. 2a. **Reading strategies.** (a) All colleges and universities approved by the  
69.18 Board of Teaching to prepare persons for classroom teacher licensure must include in  
69.19 their teacher preparation programs research-based best practices in reading, consistent  
69.20 with section 122A.06, subdivision 4, that enable the licensure candidate to know how to  
69.21 teach reading in the candidate's content areas. Teacher candidates must be instructed  
69.22 in using students' native languages as a resource in creating effective differentiated  
69.23 instructional strategies for English learners developing literacy skills. These colleges and  
69.24 universities also must prepare early childhood and elementary teacher candidates for initial  
69.25 professional five-year teaching licenses to teach prekindergarten or elementary students  
69.26 for the assessment of reading instruction portion of the examination of licensure-specific  
69.27 teaching skills under section 122A.09, subdivision 4, paragraph (e), covering assessment  
69.28 of reading instruction.

69.29 (b) Board-approved teacher preparation programs for teachers of elementary  
69.30 education must require instruction ~~in the application of~~ in applying comprehensive,  
69.31 scientifically based, and balanced reading instruction programs that:

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

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

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

70.3 Subd. 2b. **Reading specialist.** Not later than July 1, 2002, the Board of Teaching  
70.4 must adopt rules providing for the reading teacher licensure of teachers of reading.

70.5 Subd. 3. **Supervisory and coach qualifications; code of ethics.** The commissioner  
70.6 of education must issue licenses under its jurisdiction to persons the commissioner finds  
70.7 to be qualified and competent for their respective positions under the rules it adopts.  
70.8 The commissioner of education may develop, by rule, a code of ethics for supervisory  
70.9 personnel covering standards of professional practices, including areas of ethical conduct  
70.10 and professional performance and methods of enforcement.

70.11 Subd. 3a. **Technology strategies.** All colleges and universities approved by the  
70.12 Board of Teaching to prepare persons for classroom teacher licensure must include in their  
70.13 teacher preparation programs the knowledge and skills teacher candidates need to deliver  
70.14 digital and blended learning and curriculum and engage students with technology.

70.15 Subd. 4. **Expiration and renewal.** (a) Each license the Department of Education  
70.16 issues through its licensing section must bear the date of issue and the name of the  
70.17 state-approved teacher training provider. Licenses must expire and be renewed according  
70.18 to the respective rules the Board of Teaching, the Board of School Administrators, or the  
70.19 commissioner of education adopts. Requirements for renewing a license must include  
70.20 showing satisfactory evidence of successful teaching or administrative experience for  
70.21 at least one school year during the period covered by the license in grades or subjects  
70.22 for which the license is valid or completing such additional preparation as the Board of  
70.23 Teaching prescribes. The Board of School Administrators shall establish requirements for  
70.24 renewing the licenses of supervisory personnel except athletic coaches. The State Board  
70.25 of Teaching shall establish requirements for renewing the licenses of athletic coaches.

70.26 (b) ~~Relicensure~~ Applicants for license renewal who have been employed as a teacher  
70.27 during the renewal period of their expiring license, as a condition of ~~relicensure~~ license  
70.28 renewal, must present to their local continuing education and relicensure committee  
70.29 or other local relicensure committee evidence of work that demonstrates professional  
70.30 reflection and growth in best teaching practices, including among other things, practices in  
70.31 meeting the varied needs of English learners, from young children to adults under section  
70.32 124D.59, subdivisions 2 and 2a. The applicant must include a reflective statement of  
70.33 professional accomplishment and the applicant's own assessment of professional growth  
70.34 showing evidence of:

70.35 (1) support for student learning;

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

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

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

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

71.10 (c) The Board of Teaching shall offer alternative ~~continuing relicensure~~ options for  
71.11 license renewal for teachers who are accepted into and complete the National Board for  
71.12 Professional Teaching Standards certification process, and offer additional continuing  
71.13 relicensure options for teachers who earn National Board for Professional Teaching  
71.14 Standards certification. Continuing relicensure requirements for teachers who do not  
71.15 maintain National Board for Professional Teaching Standards certification are those the  
71.16 board prescribes, consistent with this section.

71.17 ~~Subd. 4a. **Limited Provisional licenses.** The board may grant two-year provisional~~  
71.18 ~~licenses to licensure candidates in a field in which they were not previously licensed or in a~~  
71.19 ~~field in which a shortage of licensed teachers exists. A shortage is defined as an inadequate~~  
71.20 ~~supply of licensed personnel in a given licensure area as determined by the commissioner.~~

71.21 ~~Subd. 5. **Effective date.** Nothing contained herein shall be construed as affecting~~  
71.22 ~~the validity of a permanent certificate or license issued prior to July 1, 1969.~~

71.23 ~~Subd. 6. **Human relations.** The Board of Teaching and the commissioner of~~  
71.24 ~~education shall accept training programs completed through Peace Corps, VISTA, or~~  
71.25 ~~Teacher Corps in lieu of completion of completing the human relations component of the~~  
71.26 ~~training program for purposes of issuing or renewing a teaching license in education.~~

71.27 ~~Subd. 7. **Limited provisional licenses.** The Board of Teaching may grant~~  
71.28 ~~provisional licenses, which shall be valid for two years, in fields in which licenses were not~~  
71.29 ~~issued previously or in fields in which a shortage of licensed teachers exists. A shortage is~~  
71.30 ~~defined as a lack of or an inadequate supply of licensed personnel within a given licensure~~  
71.31 ~~area in a school district that has notified the Board of Teaching of the shortage and has~~  
71.32 ~~applied to the Board of Teaching for provisional licenses for that district's licensed staff.~~

71.33 ~~Subd. 7a. **Permission to substitute teach.** (a) The Board of Teaching may allow a~~  
71.34 ~~person who is enrolled in and making satisfactory progress in a board-approved teacher~~  
71.35 ~~program and who has successfully completed student teaching to be employed as a~~  
71.36 ~~short-call substitute teacher.~~

72.1 (b) The Board of Teaching may issue a lifetime ~~qualified short-call~~ substitute  
72.2 teaching license to a person who:

72.3 (1) was a qualified teacher under section 122A.16 while holding a ~~continuing~~  
72.4 professional five-year teaching license issued by the board, and receives a retirement  
72.5 annuity from the Teachers Retirement Association or the St. Paul Teachers Retirement  
72.6 Fund Association;

72.7 (2) holds an out-of-state teaching license and receives a retirement annuity as a  
72.8 result of the person's teaching experience; or

72.9 (3) held a ~~continuing professional five-year teaching~~ license issued by the board,  
72.10 taught at least three school years in an accredited nonpublic school in Minnesota, and  
72.11 receives a retirement annuity as a result of the person's teaching experience.

72.12 A person holding a lifetime qualified short-call substitute teaching license is not required  
72.13 to complete continuing education clock hours. A person holding this license may reapply  
72.14 to the board for a ~~continuing professional five-year teaching~~ license and must again  
72.15 complete continuing education clock hours one school year after receiving the ~~continuing~~  
72.16 professional five-year teaching license.

72.17 Subd. 7b. ~~Temporary limited licenses~~ **Provisional permission; personnel**  
72.18 **variances variance; emergency permission.** (a) ~~The Board of Teaching must accept~~  
72.19 ~~applications for a temporary limited teaching license beginning July 1 of the school year~~  
72.20 ~~for which the license is requested and must issue or deny the temporary limited teaching~~  
72.21 ~~license within 30 days of receiving the complete application~~ The Board of Teaching  
72.22 may grant a two-year provisional permission to a licensure candidate in a field in which  
72.23 a shortage of licensed teachers exists. A shortage is defined as an inadequate supply of  
72.24 licensed personnel in a given licensure area as determined by the commissioner.

72.25 (b) The board may grant a one-year personnel variance to a licensed teacher in a  
72.26 field in which they were not previously licensed. The Board of Teaching must accept  
72.27 applications for a personnel variance beginning July 1 of the school year for which the  
72.28 variance is requested and must issue or deny the personnel variance within 30 days of  
72.29 receiving the complete application.

72.30 (c) The board may grant a one-year emergency permission to a nonlicensed applicant  
72.31 based on a district's satisfactory demonstration of need. The board must accept an  
72.32 application for an emergency permission beginning on July 1 of the school year for which  
72.33 the permission is requested and must issue or deny the emergency permission within 30  
72.34 days of receiving the complete application.

72.35 Subd. 7c. **Temporary military license.** The Board of Teaching shall establish  
72.36 a temporary license in accordance with section 197.4552 for teaching. The fee for a



73.1 temporary license under this subdivision shall be \$87.90 for an online application or  
73.2 \$86.40 for a paper application.

73.3 Subd. 8. **Background checks.** (a) The Board of Teaching and the commissioner  
73.4 of education must request a criminal history background check from the superintendent  
73.5 of the Bureau of Criminal Apprehension on all first-time teaching applicants for ~~initial~~  
73.6 licenses under their jurisdiction. ~~An application for a license under this section must be~~  
73.7 ~~accompanied by~~ Applicants must include with their licensure applications:

73.8 (1) an executed criminal history consent form, including fingerprints; and  
73.9 (2) a money order or cashier's check payable to the Bureau of Criminal Apprehension  
73.10 for the fee for conducting the criminal history background check.

73.11 (b) The superintendent of the Bureau of Criminal Apprehension shall perform the  
73.12 background check required under paragraph (a) by retrieving criminal history data as  
73.13 defined in section 13.87 and shall also conduct a search of the national criminal records  
73.14 repository. The superintendent is authorized to exchange fingerprints with the Federal  
73.15 Bureau of Investigation for purposes of the criminal history check. The superintendent  
73.16 shall recover the cost to the bureau of a background check through the fee charged to  
73.17 the applicant under paragraph (a).

73.18 (c) The Board of Teaching or the commissioner of education may issue a license  
73.19 pending completion of a background check under this subdivision, but must notify  
73.20 the individual that the individual's license may be revoked based on the result of the  
73.21 background check.

73.22 Sec. 7. Minnesota Statutes 2014, section 122A.21, as amended by Laws 2015, First  
73.23 Special Session chapter 3, article 2, section 17, is amended to read:

73.24 **122A.21 TEACHERS' AND ADMINISTRATORS' LICENSES; FEES.**

73.25 Subdivision 1. **Licensure applications.** Each application for the issuance, renewal,  
73.26 or extension of a license to teach, including applications for licensure via portfolio under  
73.27 subdivision 2, must be accompanied by a processing fee ~~of \$57~~. Each application for  
73.28 issuing, renewing, or extending the license of a school administrator or supervisor must  
73.29 be accompanied by a processing fee in the amount set by the Board of Teaching School  
73.30 Administrators. The processing fee for a teacher's license and for the licenses of supervisory  
73.31 personnel must be paid to the executive secretary of the appropriate board. The executive  
73.32 secretary of the board shall deposit the fees with the commissioner of management and  
73.33 budget. The fees as set by the board are nonrefundable for applicants not qualifying for a  
73.34 license. However, a fee must be refunded by the commissioner of management and budget

74.1 in any case in which the applicant already holds a valid unexpired license. The board may  
 74.2 waive or reduce fees for applicants who apply at the same time for more than one license.

74.3 Subd. 2. **Licensure via portfolio.** (a) An eligible candidate may use licensure via  
 74.4 portfolio to obtain ~~an initial licensure~~ a professional five-year teaching license or to add a  
 74.5 licensure field, consistent with applicable Board of Teaching licensure rules.

74.6 (b) A candidate for ~~initial licensure~~ a professional five-year teaching license must  
 74.7 submit to the Educator Licensing Division at the department one portfolio demonstrating  
 74.8 pedagogical competence and one portfolio demonstrating content competence.

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

74.11 (d) The Board of Teaching must notify a candidate who submits a portfolio under  
 74.12 paragraph (b) or (c) within 90 calendar days after the portfolio is received whether or not  
 74.13 the portfolio was approved. If the portfolio was not approved, the board must immediately  
 74.14 inform the candidate how to revise the portfolio to successfully demonstrate the requisite  
 74.15 competence. The candidate may resubmit a revised portfolio at any time and the Educator  
 74.16 Licensing Division at the department must approve or disapprove the portfolio within  
 74.17 60 calendar days of receiving it.

74.18 (e) A candidate must pay to the executive secretary of the Board of Teaching a  
 74.19 \$300 fee for the first portfolio submitted for review and a \$200 fee for any portfolio  
 74.20 submitted subsequently. ~~The fees must be paid to the executive secretary of the Board of~~  
 74.21 ~~Teaching.~~ The revenue generated from the fee must be deposited in an education licensure  
 74.22 portfolio account in the special revenue fund. The fees set by the Board of Teaching are  
 74.23 nonrefundable for applicants not qualifying for a license. The Board of Teaching may  
 74.24 waive or reduce fees for candidates based on financial need.

74.25 Sec. 8. Minnesota Statutes 2015 Supplement, section 122A.23, is amended to read:

74.26 **122A.23 APPLICANTS TRAINED IN OTHER STATES.**

74.27 Subdivision 1. **Preparation equivalency.** When a license to teach is authorized to  
 74.28 be issued to any holder of a diploma or a degree of a Minnesota state university, or of the  
 74.29 University of Minnesota, or of a liberal arts university, or a technical training institution,  
 74.30 such license may also, in the discretion of the Board of Teaching ~~or the commissioner of~~  
 74.31 ~~education, whichever has jurisdiction~~, be issued to any holder of a diploma or a degree of a  
 74.32 teacher training institution of equivalent rank and standing of any other state. The diploma  
 74.33 or degree must be granted by virtue of completing coursework in teacher preparation as  
 74.34 preliminary to the granting of a diploma or a degree of the same rank and class. For  
 74.35 purposes of granting a Minnesota teaching license to a person who receives a diploma or

75.1 degree from a state-accredited, out-of-state teacher training program leading to licensure,  
75.2 the Board of Teaching must establish criteria and streamlined policies and procedures by  
75.3 January 1, 2016, to recognize the experience and professional credentials of the person  
75.4 holding the out-of-state diploma or degree and allow that person to demonstrate to the  
75.5 board the person's qualifications for receiving a Minnesota teaching license based on  
75.6 performance measures the board adopts by January 1, 2016, under this section.

75.7 Subd. 2. **Applicants licensed in other states.** (a) Subject to the requirements  
75.8 of sections 122A.18, subdivision 8, and 123B.03, the Board of Teaching must issue a  
75.9 professional five-year teaching license or a temporary an initial professional one-year  
75.10 teaching license under paragraphs (c) to (f) to an applicant who holds at least a  
75.11 baccalaureate degree from a regionally accredited college or university and holds or  
75.12 held an out-of-state teaching license that requires the applicant to successfully complete  
75.13 a teacher preparation program approved by the issuing state, which includes either (1)  
75.14 field-specific teaching methods, student teaching, or equivalent experience, or (2) at least  
75.15 two years of teaching experience as the teacher of record in a similar licensure field area.

75.16 (b) The Board of Teaching may issue a standard professional five-year teaching  
75.17 license on the basis of teaching experience and examination requirements only.

75.18 (c) The Board of Teaching must issue a professional five-year teaching license to  
75.19 an applicant who:

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

75.22 (2) holds or held an out-of-state teaching license to teach a similar content field and  
75.23 grade levels if the scope of the out-of-state license is no more than two grade levels less  
75.24 than a similar Minnesota license, and either (i) has completed field-specific teaching  
75.25 methods, student teaching, or equivalent experience, or (ii) has at least two years of  
75.26 teaching experience as the teacher of record in a similar licensure field area.

75.27 (d) The Board of Teaching, consistent with board rules and paragraph (i), must  
75.28 issue up to four ~~one-year temporary~~ initial professional one-year teaching licenses to an  
75.29 applicant who holds or held an out-of-state teaching license to teach a similar ~~content field~~  
75.30 licensure area and grade levels, where the scope of the out-of-state license is no more  
75.31 than two grade levels less than a similar Minnesota license, but has not successfully  
75.32 completed all exams and human relations preparation components required by the Board  
75.33 of Teaching. The board must issue a professional five-year teaching license to an applicant  
75.34 who successfully completes the requirements under this paragraph.

75.35 (e) The Board of Teaching, consistent with board rules, must issue up to four initial  
75.36 professional one-year temporary teaching licenses to an applicant who:

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

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

76.7 The applicant may complete field-specific teaching methods ~~and student teaching~~  
76.8 ~~or equivalent experience~~ by successfully participating in a one-year school district  
76.9 mentorship program consistent with board-adopted standards of effective practice and  
76.10 Minnesota graduation requirements. If no school district mentorship program is available,  
76.11 the applicant must complete field-specific teaching methods coursework while serving  
76.12 as a teacher of record and providing classroom instruction in the applicant's field of  
76.13 licensure. The board must issue a professional five-year teaching license to an applicant  
76.14 who successfully completes the requirements under this paragraph.

76.15 ~~(f) The Board of Teaching must issue a restricted teaching license for only in the~~  
76.16 ~~content field or grade levels specified in the out-of-state license to an applicant who:~~

76.17 ~~(1) successfully completed all exams and human relations preparation components~~  
76.18 ~~required by the Board of Teaching; and~~

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

76.21 (f) The Board of Teaching must issue to an applicant with an out-of-state teaching  
76.22 license up to four initial professional one-year teaching licenses that are restricted in  
76.23 content or grade levels specified in the out-of-state license if the applicant's out-of-state  
76.24 teaching license is more limited than a similar Minnesota license in content field or  
76.25 grade levels. The Board of Teaching must issue a professional five-year teaching license  
76.26 to an applicant who successfully completes all exams and human relations preparation  
76.27 components required by the Board of Teaching. Any content or grade level restriction  
76.28 placed on a license under this paragraph remains in effect.

76.29 (g) The Board of Teaching may issue a two-year ~~limited~~ provisional ~~license~~  
76.30 permission to an applicant under this subdivision to teach in a shortage area, consistent  
76.31 with section 122A.18, subdivision 4a.

76.32 (h) The Board of Teaching may issue a license under this subdivision if the applicant  
76.33 has attained the additional degrees, credentials, or licenses required in a particular  
76.34 licensure field and the applicant can demonstrate competency by obtaining qualifying  
76.35 scores on the board-adopted skills examination in reading, writing, and mathematics, and

77.1 on applicable board-adopted rigorous content area and pedagogy examinations under  
77.2 section 122A.09, subdivision 4, paragraphs (a) and (e).

77.3 (i) The Board of Teaching must require an applicant for a professional five-year  
77.4 teaching license or a ~~temporary~~ an initial professional one-year teaching license under  
77.5 this subdivision to pass a board-adopted skills examination in reading, writing, and  
77.6 mathematics before the board issues the license unless, notwithstanding other provisions  
77.7 of this subdivision, an applicable board-approved National Association of State Directors  
77.8 of Teacher Education and Certification interstate ~~reciprocity~~ agreement exists to allow  
77.9 fully certified teachers from other states to transfer their certification to Minnesota.

77.10 Subd. 3. **Teacher licensure agreements with adjoining states.** (a) Notwithstanding  
77.11 any other law to the contrary, the Board of Teaching must enter into a National Association  
77.12 of State Directors of Teacher Education and Certification (NASDTEC) interstate  
77.13 agreement and other interstate agreements for teacher licensure to allow fully certified  
77.14 teachers from adjoining states to transfer their certification to Minnesota. The board must  
77.15 enter into these interstate agreements only after determining that the rigor of the teacher  
77.16 licensure or certification requirements in the adjoining state is commensurate with the  
77.17 rigor of Minnesota's teacher licensure requirements. The board may limit an interstate  
77.18 agreement to particular content fields or grade levels based on established priorities or  
77.19 identified shortages. This subdivision does not apply to out-of-state applicants holding  
77.20 only a provisional teaching license.

77.21 (b) The Board of Teaching must work with designated authorities in adjoining states  
77.22 to establish interstate teacher licensure agreements under this section.

77.23 Sec. 9. Minnesota Statutes 2014, section 122A.245, as amended by Laws 2015, First  
77.24 Special Session chapter 3, article 2, sections 19 to 21, is amended to read:

77.25 **122A.245 ALTERNATIVE TEACHER PREPARATION PROGRAM AND**  
77.26 **~~LIMITED-TERM~~ PRELIMINARY TEACHER LICENSE.**

77.27 Subdivision 1. **Requirements.** (a) To improve academic excellence, improve  
77.28 ethnic and cultural diversity in the classroom, and close the academic achievement gap,  
77.29 the Board of Teaching must approve qualified teacher preparation programs under this  
77.30 section that are a means to acquire a two-year ~~limited-term~~ preliminary teacher license,  
77.31 which the board may renew one time for an additional one-year term, and to prepare for  
77.32 acquiring a ~~standard~~ professional five-year license. The following entities are eligible  
77.33 to participate under this section:

78.1 (1) a school district, charter school, or nonprofit corporation organized under chapter  
78.2 317A for an education-related purpose that forms a partnership with a college or university  
78.3 that has a board-approved alternative teacher preparation program; or

78.4 (2) a school district or charter school, after consulting with a college or university  
78.5 with a board-approved teacher preparation program, that forms a partnership with a  
78.6 nonprofit corporation organized under chapter 317A for an education-related purpose that  
78.7 has a board-approved teacher preparation program.

78.8 (b) Before becoming a teacher of record, a candidate must:

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

78.12 (2) demonstrate a passing score on a board-adopted reading, writing, and  
78.13 mathematics skills examination under section 122A.09, subdivision 4, paragraph (b); and

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

78.16 (c) The Board of Teaching must issue a two-year ~~limited-term~~ preliminary teacher  
78.17 license to a person who enrolls in an alternative teacher preparation program.

78.18 Subd. 2. **Characteristics.** An alternative teacher preparation program under this  
78.19 section must include:

78.20 (1) a minimum 200-hour instructional phase that provides intensive preparation and  
78.21 student teaching before the teacher candidate assumes classroom responsibilities;

78.22 (2) a research-based and results-oriented approach focused on best teaching practices  
78.23 to increase student proficiency and growth measured against state academic standards;

78.24 (3) strategies to combine pedagogy and best teaching practices to better inform  
78.25 teacher candidates' classroom instruction;

78.26 (4) assessment, supervision, and evaluation of teacher candidates to determine  
78.27 their specific needs throughout the program and to support their efforts to successfully  
78.28 complete the program;

78.29 (5) intensive, ongoing, and multiyear professional learning opportunities that  
78.30 accelerate teacher candidates' professional growth, support student learning, and provide a  
78.31 workplace orientation, professional staff development, and mentoring and peer review  
78.32 focused on standards of professional practice and continuous professional growth; and

78.33 (6) a requirement that teacher candidates demonstrate to the local site team under  
78.34 subdivision 5 satisfactory progress toward acquiring a ~~standard license~~ professional  
78.35 five-year teaching licenses from the Board of Teaching.

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

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

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

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

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

79.17 Subd. 4. **Employment conditions.** Where applicable, teacher candidates with  
 79.18 ~~a limited-term~~ a preliminary teacher license under this section are members of the  
 79.19 local employee organization representing teachers and subject to the terms of the local  
 79.20 collective bargaining agreement between the exclusive representative of the teachers and  
 79.21 the school board. A collective bargaining agreement between a school board and the  
 79.22 exclusive representative of the teachers must not prevent or restrict or otherwise interfere  
 79.23 with a school district's ability to employ a teacher prepared under this section.

79.24 Subd. 5. **Approval for standard professional five-year license.** A school board  
 79.25 or its designee must appoint members to a local site team that includes teachers, school  
 79.26 administrators, and postsecondary faculty under subdivision 1, paragraph (a), clause  
 79.27 (1), or staff of a participating nonprofit corporation under subdivision 1, paragraph (a),  
 79.28 clause (2), to evaluate the performance of the teacher candidate. The evaluation must be  
 79.29 consistent with board-adopted performance measures, use the Minnesota state standards  
 79.30 of effective practice and subject matter content standards for teachers established in  
 79.31 Minnesota Rules, and include a report to the board recommending whether or not to issue  
 79.32 the teacher candidate a standard professional five-year teaching license.

79.33 Subd. 6. **Applicants trained in other states.** A person who successfully completes  
 79.34 another state's alternative teacher preparation program, consistent with section 122A.23,  
 79.35 ~~subdivision 1,~~ may apply to the Board of Teaching for ~~a standard~~ an initial professional  
 79.36 one-year teaching license ~~under subdivision 7~~ or a professional five-year teaching license.

80.1 Subd. 7. **Standard Professional five-year license.** The Board of Teaching must  
80.2 issue a ~~standard~~ professional five-year teaching license to an otherwise qualified teacher  
80.3 candidate under this section who successfully performs throughout a program under this  
80.4 section, obtains qualifying scores on applicable board-adopted rigorous skills, pedagogy,  
80.5 and content area examinations under section 122A.09, subdivision 4, paragraphs (a) and  
80.6 (e), and is recommended for licensure under subdivision 5 or successfully demonstrates to  
80.7 the board qualifications for licensure under subdivision 6.

80.8 Subd. 8. **Highly qualified teacher.** A person holding a valid limited-term license  
80.9 under this section is a highly qualified teacher and the teacher of record under section  
80.10 122A.16.

80.11 Subd. 9. **Exchange of best practices.** By July 31 in an even-numbered year,  
80.12 ~~a program participant and~~ approved alternative preparation program providers, the  
80.13 Minnesota State Colleges and Universities, the University of Minnesota, the Minnesota  
80.14 Private College Council, and the Department of Education must exchange information  
80.15 about best practices and educational innovations.

80.16 Subd. 10. **Reports.** The Board of Teaching must submit an interim report on the  
80.17 efficacy of this program to the policy and finance committees of the legislature with  
80.18 jurisdiction over kindergarten through grade 12 education by February 15, 2013, and a  
80.19 final report by February 15, 2015.

80.20 Sec. 10. Minnesota Statutes 2014, section 122A.26, subdivision 2, is amended to read:

80.21 Subd. 2. **Exceptions.** (a) A person who teaches in a community education program  
80.22 which qualifies for aid pursuant to section 124D.52 shall continue to meet licensure  
80.23 requirements as a teacher. A person who teaches in an early childhood and family  
80.24 education program which is offered through a community education program and which  
80.25 qualifies for community education aid pursuant to section 124D.20 or early childhood  
80.26 and family education aid pursuant to section 124D.135 shall continue to meet licensure  
80.27 requirements as a teacher. A person who teaches in a community education course which  
80.28 is offered for credit for graduation to persons under 18 years of age shall continue to  
80.29 meet licensure requirements as a teacher.

80.30 (b) A person who teaches a driver training course which is offered through a  
80.31 community education program to persons under 18 years of age shall be licensed by the  
80.32 Board of Teaching or be subject to section 171.35. A license which is required for an  
80.33 instructor in a community education program pursuant to this ~~subdivision~~ paragraph shall  
80.34 not be construed to bring an individual within the definition of a teacher for purposes of  
80.35 section 122A.40, subdivision 1, or 122A.41, subdivision 1, clause (a).



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

81.3 Sec. 11. Minnesota Statutes 2015 Supplement, section 122A.40, subdivision 8, is  
81.4 amended to read:

81.5 Subd. 8. **Development, evaluation, and peer coaching for continuing contract**  
81.6 **teachers.** (a) To improve student learning and success, a school board and an exclusive  
81.7 representative of the teachers in the district, consistent with paragraph (b), may develop  
81.8 a teacher evaluation and peer review process for probationary and continuing contract  
81.9 teachers through joint agreement. If a school board and the exclusive representative of the  
81.10 teachers do not agree to an annual teacher evaluation and peer review process, then the  
81.11 school board and the exclusive representative of the teachers must implement the state  
81.12 teacher evaluation plan under paragraph (c). The process must include having trained  
81.13 observers serve as peer coaches or having teachers participate in professional learning  
81.14 communities, consistent with paragraph (b).

81.15 (b) To develop, improve, and support qualified teachers and effective teaching  
81.16 practices ~~and~~, improve student learning and success, and provide all enrolled students  
81.17 in a district or school, including low-income students, American Indian students, and  
81.18 students of color with improved and equitable access to more diverse teachers, the annual  
81.19 evaluation process for teachers:

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

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

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

81.28 (4) must coordinate staff development activities that improve cultural fluency  
81.29 and competency under sections 122A.60 and 122A.61 with this evaluation process and  
81.30 teachers' evaluation outcomes;

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

81.33 (6) may include job-embedded learning opportunities such as professional learning  
81.34 communities;

82.1 (7) may include mentoring and induction programs for teachers, including teachers  
82.2 who are members of populations underrepresented among the licensed teachers in  
82.3 the district or school and who reflect the diversity of students under section 120B.35,  
82.4 subdivision 3, paragraph (b), clause (2), who are enrolled in the district or school;

82.5 (8) must include an option for teachers to develop and present a portfolio  
82.6 demonstrating evidence of reflection and professional growth, consistent with section  
82.7 122A.18, subdivision 4, paragraph (b), and include teachers' own performance assessment  
82.8 based on student work samples and examples of teachers' work, which may include video  
82.9 among other activities for the summative evaluation;

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

82.14 (10) must use longitudinal data on student engagement and connection, and other  
82.15 student outcome measures explicitly aligned with the elements of culturally responsive  
82.16 curriculum for which teachers are responsible, including academic literacy, oral academic  
82.17 language, and achievement of content areas of English learners;

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

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

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

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

82.31 (c) The department, in consultation with parents who may represent parent  
82.32 organizations and teacher and administrator representatives appointed by their respective  
82.33 organizations, representing the Board of Teaching, the Minnesota Association of School  
82.34 Administrators, the Minnesota School Boards Association, the Minnesota Elementary  
82.35 and Secondary Principals Associations, Education Minnesota, and representatives of  
82.36 the Minnesota Assessment Group, the Minnesota Business Partnership, the Minnesota

83.1 Chamber of Commerce, and Minnesota postsecondary institutions with research expertise  
83.2 in teacher evaluation, must create and publish a teacher evaluation process that complies  
83.3 with the requirements in paragraph (b) and applies to all teachers under this section and  
83.4 section 122A.41 for whom no agreement exists under paragraph (a) for an annual teacher  
83.5 evaluation and peer review process. The teacher evaluation process created under this  
83.6 subdivision does not create additional due process rights for probationary teachers under  
83.7 subdivision 5.

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

83.9 (1) for students in kindergarten through grade 4, a school administrator must not  
83.10 place or approve the placement of a student in the classroom of a teacher who is in the  
83.11 improvement process referenced in paragraph (b), clause (12), or has not had a summative  
83.12 evaluation if, in the prior year, that student was in the classroom of a teacher who received  
83.13 discipline pursuant to paragraph (b), clause (13), unless no other teacher at the school  
83.14 teaches that grade; and

83.15 (2) for students in grades 5 through 12, a school administrator must not place  
83.16 or approve the placement of a student in the classroom of a teacher who is in the  
83.17 improvement process referenced in paragraph (b), clause (12), or has not had a summative  
83.18 evaluation if, in the prior year, that student was in the classroom of a teacher who received  
83.19 discipline pursuant to paragraph (b), clause (13), unless no other teacher at the school  
83.20 teaches that subject area and grade.

83.21 All data created and used under this paragraph retains its classification under chapter 13.

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

83.24 Sec. 12. Minnesota Statutes 2015 Supplement, section 122A.41, subdivision 5, is  
83.25 amended to read:

83.26 Subd. 5. **Development, evaluation, and peer coaching for continuing contract**  
83.27 **teachers.** (a) To improve student learning and success, a school board and an exclusive  
83.28 representative of the teachers in the district, consistent with paragraph (b), may develop an  
83.29 annual teacher evaluation and peer review process for probationary and nonprobationary  
83.30 teachers through joint agreement. If a school board and the exclusive representative of  
83.31 the teachers in the district do not agree to an annual teacher evaluation and peer review  
83.32 process, then the school board and the exclusive representative of the teachers must  
83.33 implement the state teacher evaluation plan developed under paragraph (c). The process  
83.34 must include having trained observers serve as peer coaches or having teachers participate  
83.35 in professional learning communities, consistent with paragraph (b).

84.1 (b) To develop, improve, and support qualified teachers and effective teaching  
84.2 practices and improve student learning and success, and provide all enrolled students  
84.3 in a district or school, including low-income students, American Indian students, and  
84.4 students of color with improved and equitable access to more diverse teachers, the annual  
84.5 evaluation process for teachers:

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

84.8 (2) must establish a three-year professional review cycle for each teacher that  
84.9 includes an individual growth and development plan, a peer review process, and at least  
84.10 one summative evaluation performed by a qualified and trained evaluator such as a school  
84.11 administrator;

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

84.13 (4) must coordinate staff development activities that improve cultural fluency  
84.14 and competency under sections 122A.60 and 122A.61 with this evaluation process and  
84.15 teachers' evaluation outcomes;

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

84.18 (6) may include job-embedded learning opportunities such as professional learning  
84.19 communities;

84.20 (7) may include mentoring and induction programs for teachers, including teachers  
84.21 who are members of populations underrepresented among the licensed teachers in  
84.22 the district or school and who reflect the diversity of students under section 120B.35,  
84.23 subdivision 3, paragraph (b), clause (2), who are enrolled in the district or school;

84.24 (8) must include an option for teachers to develop and present a portfolio  
84.25 demonstrating evidence of reflection and professional growth, consistent with section  
84.26 122A.18, subdivision 4, paragraph (b), and include teachers' own performance assessment  
84.27 based on student work samples and examples of teachers' work, which may include video  
84.28 among other activities for the summative evaluation;

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

84.33 (10) must use longitudinal data on student engagement and connection and other  
84.34 student outcome measures explicitly aligned with the elements of culturally responsive  
84.35 curriculum for which teachers are responsible, including academic literacy, oral academic  
84.36 language, and achievement of English learners;

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

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

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

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

85.14 (c) The department, in consultation with parents who may represent parent  
85.15 organizations and teacher and administrator representatives appointed by their respective  
85.16 organizations, representing the Board of Teaching, the Minnesota Association of School  
85.17 Administrators, the Minnesota School Boards Association, the Minnesota Elementary  
85.18 and Secondary Principals Associations, Education Minnesota, and representatives of  
85.19 the Minnesota Assessment Group, the Minnesota Business Partnership, the Minnesota  
85.20 Chamber of Commerce, and Minnesota postsecondary institutions with research expertise  
85.21 in teacher evaluation, must create and publish a teacher evaluation process that complies  
85.22 with the requirements in paragraph (b) and applies to all teachers under this section and  
85.23 section 122A.40 for whom no agreement exists under paragraph (a) for an annual teacher  
85.24 evaluation and peer review process. The teacher evaluation process created under this  
85.25 subdivision does not create additional due process rights for probationary teachers under  
85.26 subdivision 2.

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

85.28 (1) for students in kindergarten through grade 4, a school administrator must not  
85.29 place or approve the placement of a student in the classroom of a teacher who is in the  
85.30 improvement process referenced in paragraph (b), clause (12), or has not had a summative  
85.31 evaluation if, in the prior year, that student was in the classroom of a teacher who received  
85.32 discipline pursuant to paragraph (b), clause (13), unless no other teacher at the school  
85.33 teaches that grade; and

85.34 (2) for students in grades 5 through 12, a school administrator must not place  
85.35 or approve the placement of a student in the classroom of a teacher who is in the  
85.36 improvement process referenced in paragraph (b), clause (12), or has not had a summative

86.1 evaluation if, in the prior year, that student was in the classroom of a teacher who received  
86.2 discipline pursuant to paragraph (b), clause (13), unless no other teacher at the school  
86.3 teaches that subject area and grade.

86.4 All data created and used under this paragraph retains its classification under chapter 13.

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

86.7 Sec. 13. Minnesota Statutes 2015 Supplement, section 122A.60, subdivision 1, is  
86.8 amended to read:

86.9 Subdivision 1. **Staff development committee.** (a) A school board must use the  
86.10 revenue authorized in section 122A.61 for:

86.11 (1) teacher development and evaluation plans under section 122A.40, subdivision 8,  
86.12 or 122A.41, subdivision 5, and at the request of a teacher and their mentor or peer coach,  
86.13 activities relating to the teacher's individual growth plan or recommendations resulting  
86.14 from the peer review process;

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

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

86.17 (4) other staff development needs.

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

86.24 (c) "Teacher" under this section includes all individuals classified as teachers under  
86.25 section 179A.03 or section 122A.61.

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

86.28 Sec. 14. Minnesota Statutes 2014, section 123B.147, subdivision 3, is amended to read:

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

87.1 (b) To enhance a principal's leadership skills and support and improve teaching  
87.2 practices, school performance, and student achievement for diverse student populations,  
87.3 including at-risk students, children with disabilities, English learners, and gifted students,  
87.4 among others, a district must develop and implement a performance-based system for  
87.5 annually evaluating school principals assigned to supervise a school building within the  
87.6 district. The evaluation must be designed to improve teaching and learning by supporting  
87.7 the principal in shaping the school's professional environment and developing teacher  
87.8 quality, performance, ~~and effectiveness~~, and cultural fluency and competency. The annual  
87.9 evaluation must:

87.10 (1) support and improve a principal's instructional leadership, organizational  
87.11 management, and professional development, and strengthen the principal's capacity in the  
87.12 areas of instruction, supervision, evaluation, and teacher development by, among other  
87.13 things, hiring, supporting, and retaining a diverse teaching staff that reflects the diversity  
87.14 of students under section 120B.35, subdivision 3, paragraph (b), clause (2), who are  
87.15 enrolled in the district or school;

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

87.18 (3) be consistent with a principal's job description, a district's long-term plans and  
87.19 goals, and the principal's own professional multiyear growth plans and goals, all of which  
87.20 must support the principal's leadership behaviors and practices, rigorous curriculum,  
87.21 school performance, students' improved and equitable access to effective and more diverse  
87.22 teachers, and high-quality instruction;

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

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

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

87.29 (7) be linked to professional development that emphasizes improved teaching and  
87.30 learning, curriculum and instruction, student learning, ~~and~~ a collaborative professional  
87.31 culture, and students' increased and equitable access to effective and more diverse  
87.32 teachers, consistent with attaining the world's best workforce under section 120B.11,  
87.33 subdivision 1, paragraph (c); and

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

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

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

88.6 Sec. 15. Minnesota Statutes 2014, section 124D.09, subdivision 10, is amended to read:

88.7 Subd. 10. **Courses according to agreements.** (a) An eligible pupil, according  
 88.8 to subdivision 5, may enroll in a nonsectarian course taught by a secondary teacher or  
 88.9 a postsecondary faculty member and offered at a secondary school, or another location,  
 88.10 according to an agreement between a public school board and the governing body of an  
 88.11 eligible public postsecondary system or an eligible private postsecondary institution,  
 88.12 as defined in subdivision 3. All provisions of this section shall apply to a pupil, public  
 88.13 school board, district, and the governing body of a postsecondary institution, except as  
 88.14 otherwise provided.

88.15 (b) To encourage American Indian students under section 124D.72 and other  
 88.16 students to consider teaching as a profession, participating public school boards and  
 88.17 the governing boards of eligible public postsecondary systems and eligible private  
 88.18 postsecondary institutions may develop and offer an "introduction to teaching" course  
 88.19 under this subdivision.

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

88.21 Sec. 16. Minnesota Statutes 2014, section 124D.861, as amended by Laws 2015,  
 88.22 chapter 21, article 1, section 20, is amended to read:

88.23 **124D.861 ACHIEVEMENT AND INTEGRATION FOR MINNESOTA.**

88.24 Subdivision 1. **Program to close the academic achievement and opportunity gap;**  
 88.25 **revenue uses.** (a) The "Achievement and Integration for Minnesota" program is established  
 88.26 to pursue racial and economic integration and increase student academic achievement,  
 88.27 create equitable educational opportunities, and reduce academic disparities based on  
 88.28 students' diverse racial, ethnic, and economic backgrounds in Minnesota public schools.

88.29 (b) For purposes of this section and section 124D.862, "eligible district" means a  
 88.30 district required to submit a plan to the commissioner under Minnesota Rules governing  
 88.31 school desegregation and integration, or be a member of a multidistrict integration  
 88.32 collaborative that files a plan with the commissioner.



89.1 (c) Eligible districts must use the revenue under section 124D.862 to pursue  
89.2 academic achievement and racial and economic integration through:

89.3 (1) integrated learning environments that give students improved and equitable  
89.4 access to effective and more diverse teachers, prepare all students to be effective citizens  
89.5 and enhance social cohesion;

89.6 (2) policies and curricula and trained, culturally fluent and competent instructors,  
89.7 administrators, school counselors, and other advocates to support and enhance integrated  
89.8 learning environments under this section, including through magnet schools, innovative,  
89.9 research-based instruction, differentiated instruction, improved and equitable access to  
89.10 effective and diverse teachers, and targeted interventions to improve achievement; and

89.11 (3) rigorous career and college readiness programs and effective and more diverse  
89.12 instructors for underserved student populations, consistent with section 120B.30,  
89.13 subdivision 1; integrated learning environments to increase student academic achievement;  
89.14 cultural fluency, competency, and interaction; graduation and educational attainment rates;  
89.15 and parent involvement.

89.16 Subd. 2. **Plan implementation; components.** (a) The school board of each eligible  
89.17 district must formally develop and implement a long-term plan under this section. The plan  
89.18 must be incorporated into the district's comprehensive strategic plan under section 120B.11.  
89.19 Plan components may include: innovative and integrated prekindergarten through grade 12  
89.20 learning environments that offer students school enrollment choices; family engagement  
89.21 initiatives that involve families in their students' academic life and success; professional  
89.22 development opportunities for teachers and administrators focused on improving the  
89.23 academic achievement of all students, including teachers and administrators who are  
89.24 members of populations underrepresented among the licensed teachers or administrators  
89.25 in the district or school and who reflect the diversity of students under section 120B.35,  
89.26 subdivision 3, paragraph (b), clause (2), who are enrolled in the district or school;

89.27 increased programmatic opportunities and effective and more diverse instructors focused  
89.28 on rigor and college and career readiness for underserved students, including students  
89.29 enrolled in alternative learning centers under section 123A.05, public alternative programs  
89.30 under section 126C.05, subdivision 15, and contract alternative programs under section  
89.31 124D.69, among other underserved students; or recruitment and retention of teachers and  
89.32 administrators with diverse racial and ethnic backgrounds. The plan must contain goals for:

89.33 (1) reducing the disparities in academic achievement and in equitable access to  
89.34 effective and more diverse teachers among all students and specific categories of students  
89.35 under section 120B.35, subdivision 3, paragraph (b), excluding the student categories of  
89.36 gender, disability, and English learners; and

90.1 (2) increasing racial and economic diversity and integration in schools and districts.

90.2 (b) Among other requirements, an eligible district must implement effective,  
90.3 research-based interventions that include formative assessment practices to reduce the  
90.4 disparities in student academic performance among the specific categories of students as  
90.5 measured by student progress and growth on state reading and math assessments and  
90.6 as aligned with section 120B.11.

90.7 (c) Eligible districts must create efficiencies and eliminate duplicative programs  
90.8 and services under this section, which may include forming collaborations or a single,  
90.9 seven-county metropolitan areawide partnership of eligible districts for this purpose.

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

90.14 (b) A school board must hold at least one formal annual hearing to publicly report  
90.15 its progress in realizing the goals identified in its plan. At the hearing, the board must  
90.16 provide the public with longitudinal data demonstrating district and school progress in  
90.17 reducing the disparities in student academic performance among the specified categories  
90.18 of students, in improving students' equitable access to effective and more diverse teachers,  
90.19 and in realizing racial and economic diversity and integration, consistent with the district  
90.20 plan and the measures in paragraph (a). At least 30 days before the formal hearing under  
90.21 this paragraph, the board must post its plan, its preliminary analysis, relevant student  
90.22 performance data, and other longitudinal data on the district's Web site. A district must  
90.23 hold one hearing to meet the hearing requirements of both this section and section 120B.11.

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

90.27 (d) The longitudinal data required under paragraph (b) must be based on student  
90.28 growth and progress in reading and mathematics, as defined under section 120B.30,  
90.29 subdivision 1, and student performance data and achievement reports from fully adaptive  
90.30 reading and mathematics assessments for grades 3 through 7 beginning in the 2015-2016  
90.31 school year under section 120B.30, subdivision 1a, and either (i) school enrollment  
90.32 choices, (ii) the number of world language proficiency or high achievement certificates  
90.33 awarded under section 120B.022, subdivision 1a, or the number of state bilingual and  
90.34 multilingual seals issued under section 120B.022, subdivision 1b, or (iii) school safety  
90.35 and students' engagement and connection at school under section 120B.35, subdivision 3,  
90.36 paragraph (d). Additional longitudinal data may be based on: students' progress toward

91.1 career and college readiness under section 120B.30, subdivision 1; or rigorous coursework  
91.2 completed under section 120B.35, subdivision 3, paragraph (c), clause (2).

91.3 Subd. 4. **Timeline and implementation.** A board must approve its plan and submit  
91.4 it to the department by March 15. If a district that is part of a multidistrict council applies  
91.5 for revenue for a plan, the individual district shall not receive revenue unless it ratifies  
91.6 the plan adopted by the multidistrict council. Each plan has a term of three years. For  
91.7 the 2014-2015 school year, an eligible district under this section must submit its plan to  
91.8 the commissioner for review by March 15, 2014. For the 2013-2014 school year only,  
91.9 an eligible district may continue to implement its current plan until the commissioner  
91.10 approves a new plan under this section.

91.11 Subd. 5. **Evaluation.** The commissioner must evaluate the efficacy of district  
91.12 plans in reducing the disparities in student academic performance among the specified  
91.13 categories of students within the district, improving students' equitable access to effective  
91.14 and diverse teachers, and in realizing racial and economic diversity and integration.  
91.15 The commissioner shall report evaluation results to the kindergarten through grade 12  
91.16 education committees of the legislature by February 1 of every odd-numbered year.

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

91.19 Sec. 17. Minnesota Statutes 2015 Supplement, section 127A.05, subdivision 6, is  
91.20 amended to read:

91.21 Subd. 6. **Survey of districts.** The commissioner of education shall survey the state's  
91.22 school districts and teacher preparation programs and report to the education committees  
91.23 of the legislature by February 1 of each odd-numbered year on the status of teacher early  
91.24 retirement patterns, access to effective and more diverse teachers who reflect the students  
91.25 under section 120B.35, subdivision 3, paragraph (b), clause (2), enrolled in a district or  
91.26 school, the teacher shortage, and the substitute teacher shortage, including teacher hiring  
91.27 and retention patterns and shortages in by subject areas and the economic development  
91.28 regions of the state. The report must also include: aggregate data on teachers' self-reported  
91.29 race and ethnicity; data on how districts are making progress in hiring and providing  
91.30 enrolled students with improved and equitable access to effective and more diverse teachers  
91.31 and substitutes in the areas of shortage; and a five-year projection of teacher demand  
91.32 for each district, taking into account the students under section 120B.35, subdivision 3,  
91.33 paragraph (b), clause (2), expected to enroll in the district during that five-year period.

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

92.3 Sec. 18. Minnesota Statutes 2015 Supplement, section 136A.1791, subdivision 1,  
 92.4 is amended to read:

92.5 Subdivision 1. **Definitions.** (a) The terms used in this section have the meanings  
 92.6 given them in this subdivision.

92.7 (b) "Qualified educational loan" means a government, commercial, or foundation  
 92.8 loan for actual costs paid for tuition and reasonable educational and living expenses  
 92.9 related to a teacher's preparation or further education.

92.10 (c) "School district" means an independent school district, special school district,  
 92.11 intermediate district, education district, special education cooperative, service cooperative,  
 92.12 a cooperative center for vocational education, or a charter school located in Minnesota.

92.13 (d) "Teacher" means an individual holding a teaching license issued by the licensing  
 92.14 division in the Department of Education on behalf of the Board of Teaching who is  
 92.15 employed by a school district to provide classroom instruction in a teacher shortage area.

92.16 (e) "Teacher shortage area" means the licensure fields and economic development  
 92.17 regions reported by the commissioner of education as experiencing a teacher shortage or  
 92.18 the school districts where minority populations are underrepresented among licensed  
 92.19 teachers, consistent with section 127A.05, subdivision 6, and applicable federal law.

92.20 (f) "Commissioner" means the commissioner of the Office of Higher Education  
 92.21 unless indicated otherwise.

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

92.23 Sec. 19. Minnesota Statutes 2015 Supplement, section 136A.1791, subdivision 3,  
 92.24 is amended to read:

92.25 Subd. 3. **Use of report on teacher shortage areas.** The commissioner of education  
 92.26 shall use the teacher supply and demand report to the legislature to identify the licensure  
 92.27 fields and economic development regions in Minnesota experiencing a teacher shortage  
 92.28 and the school districts where minority populations are underrepresented among licensed  
 92.29 teachers, consistent with section 127A.05, subdivision 6, and applicable federal law.

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

92.31 Sec. 20. **CAREER AND TECHNICAL EDUCATOR LICENSING ADVISORY**  
 92.32 **TASK FORCE.**

93.1            Subdivision 1. **Creation.** The Career and Technical Educator Licensing Advisory  
93.2 Task Force consists of the following members, appointed by the commissioner of  
93.3 education, unless otherwise specified:

93.4            (1) one person who is a member of the Board of Teaching;

93.5            (2) one person representing colleges and universities offering a board-approved  
93.6 teacher preparation program;

93.7            (3) one person representing science, technology, engineering, and math programs,  
93.8 such as Project Lead the Way;

93.9            (4) one person designated by the Board of the Minnesota Association for Career and  
93.10 Technical Administrators;

93.11            (5) one person designated by the Board of the Minnesota Association for Career  
93.12 and Technical Education;

93.13            (6) three people who are secondary school administrators, including superintendents,  
93.14 principals, and assistant principals; and

93.15            (7) two people who are members of other interested groups, as determined by the  
93.16 commissioner of education.

93.17            The commissioner and designating authorities must make their initial appointments  
93.18 and designations by July 1, 2016. The commissioner and designating authorities, to the  
93.19 extent practicable, should make appointments balanced as to gender and reflecting the  
93.20 ethnic diversity of the state population.

93.21            Subd. 2. **Duties; report.** The task force must review the current status of career and  
93.22 technical educator licenses and provide recommendations on changes, if any are deemed  
93.23 necessary, to the licensure requirements and methods to increase access for school districts  
93.24 to licensed career and technical educators. The task force must report its findings and  
93.25 recommendations, with draft legislation if needed to implement the recommendations, to  
93.26 the chairs and ranking minority members of the legislative committees with jurisdiction  
93.27 over kindergarten through grade 12 education and higher education by January 15, 2017.

93.28            Subd. 3. **First meeting.** The commissioner of education or the commissioner's  
93.29 designee must convene the first meeting of the task force by September 1, 2016.

93.30            Subd. 4. **Administrative support.** The commissioner of education must provide  
93.31 meeting space and administrative services for the task force.

93.32            Subd. 5. **Chair.** The commissioner of education or the commissioner's designee  
93.33 shall serve as chair of the task force.

94.1 Subd. 6. **Compensation.** The public members of the task force serve without  
94.2 compensation or payment of expenses.

94.3 Subd. 7. **Expiration.** The task force expires January 16, 2017, or upon submission  
94.4 of the report required in subdivision 2, whichever is earlier.

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

94.6 Sec. 21. **LEGISLATIVE TASK FORCE ON TEACHER LICENSURE.**

94.7 (a) A 12-member legislative task force on teacher licensure is created to review the  
94.8 2016 report prepared by the Office of the Legislative Auditor on the Minnesota teacher  
94.9 licensure program and submit a written report by February 1, 2017, to the legislature  
94.10 recommending how to restructure Minnesota's teacher licensure system by consolidating  
94.11 all teacher licensure activities into a single state entity to ensure transparency and  
94.12 consistency or, at a minimum, clarify existing teacher licensure responsibilities to provide  
94.13 transparency and consistency. In developing its recommendations, the task force must  
94.14 consider the tiered licensure system recommended in the legislative auditor's report,  
94.15 among other recommendations. The task force must identify and include in its report any  
94.16 statutory changes needed to implement the task force recommendations.

94.17 (b) The legislative task force on teacher licensure includes:

94.18 (1) six duly elected and currently serving senators, three appointed by the senate  
94.19 majority leader and three appointed by the senate minority leader; and

94.20 (2) six duly elected and currently serving members of the house of representatives,  
94.21 three appointed by the speaker and three appointed by the house minority leader.

94.22 Only duly elected and currently serving members of the senate or house of representatives  
94.23 may be task force members.

94.24 (c) The appointments must be made by June 1, 2016, and expire February 2, 2017. If  
94.25 a vacancy occurs, the leader of the caucus in the house or senate to which the vacating  
94.26 task force member belonged must fill the vacancy. A senate member appointed by the  
94.27 senate majority leader shall convene the first meeting of the task force. The task force  
94.28 shall elect a chair or cochair from among the members at the first meeting. The task force  
94.29 must meet periodically. The Legislative Coordinating Commission shall provide technical  
94.30 and administrative assistance upon request.

94.31 (d) In reviewing the legislative auditor's report and developing its recommendations,  
94.32 the task force must consult with interested and affected stakeholders, including  
94.33 representatives of the Board of Teaching, Minnesota Department of Education, Education  
94.34 Minnesota, MinnCAN, Minnesota Business Partnership, Minnesota Rural Education

95.1 Association, Association of Metropolitan School Districts, Minnesota Association of  
 95.2 Colleges for Teacher Education, College of Education and Human Development at the  
 95.3 University of Minnesota, Minnesota State Colleges and Universities, Minnesota Private  
 95.4 College Council, Minnesota School Boards Association, Minnesota Elementary School  
 95.5 Principals' Association, Minnesota Association of Secondary School Principals, Minnesota  
 95.6 Association of School Administrators, Minnesota Indian Affairs Council, the Council on  
 95.7 Asian Pacific Minnesotans, Council for Minnesotans of African Heritage, Minnesota  
 95.8 Council on Latino Affairs, and Minnesota Teach For America, among other stakeholders.

95.9 (e) The task force expires February 2, 2017, unless extended by law.

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

95.11 Sec. 22. **REPEALER.**

95.12 Minnesota Statutes 2014, section 122A.245, subdivision 8, is repealed.

## 95.13 **ARTICLE 8**

### 95.14 **EARLY CHILDHOOD**

95.15 Section 1. Minnesota Statutes 2015 Supplement, section 124D.165, subdivision 2,  
 95.16 is amended to read:

95.17 Subd. 2. **Family eligibility.** (a) For a family to receive an early learning scholarship,  
 95.18 parents or guardians must meet the following eligibility requirements:

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

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

95.30 (b) Notwithstanding the other provisions of this section, a parent under age 21 who  
 95.31 is pursuing a high school or general education equivalency diploma is eligible for an early  
 95.32 learning scholarship if the parent has a child age zero to five years old and meets the  
 95.33 income eligibility guidelines in this subdivision.

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

96.4 (d) A child who has received a scholarship under this section must continue to  
 96.5 receive a scholarship each year until that child is eligible for kindergarten under section  
 96.6 120A.20 and as long as funds are available.

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

96.12 (f) A child from an adjoining state whose family resides at a Minnesota address as  
 96.13 assigned by the United States Postal Service, who has received developmental screening  
 96.14 under sections 121A.16 to 121A.19, who intends to enroll in a Minnesota school district,  
 96.15 and whose family meets the criteria of paragraph (a) is eligible for an early learning  
 96.16 scholarship under this section.

96.17 (g) A child whose family is homeless and meets the criteria in paragraph (a), clause  
 96.18 (1), is eligible for an early learning scholarship under this section.

## 96.19 ARTICLE 9

### 96.20 CHARTER SCHOOL RECODIFICATION

96.21 Section 1. Minnesota Statutes 2015 Supplement, section 124E.01, is amended to read:

#### 96.22 124E.01 PURPOSE AND APPLICABILITY.

96.23 Subdivision 1. **Purposes.** The primary purpose of ~~this chapter~~ charter schools is to  
 96.24 improve all pupil learning and all student achievement. Additional purposes include to:

96.25 (1) increase learning opportunities for all pupils;

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

96.27 (3) measure learning outcomes and create different and innovative forms of  
 96.28 measuring outcomes;

96.29 (4) establish new forms of accountability for schools; or

96.30 (5) create new professional opportunities for teachers, including the opportunity to  
 96.31 be responsible for the learning program at the school site.

96.32 Subd. 2. **Applicability.** This chapter applies only to charter schools formed and  
 96.33 operated under this chapter. Other statutes and rules that specifically apply to charter  
 96.34 schools also govern charter schools.



97.1 Sec. 2. Minnesota Statutes 2015 Supplement, section 124E.02, is amended to read:

97.2 **124E.02 DEFINITIONS.**

97.3 (a) For purposes of this chapter, the terms defined in this ~~paragraph~~ section have  
97.4 the meanings given them.

97.5 ~~"Application" to receive approval as an authorizer means the proposal an eligible~~  
97.6 ~~authorizer submits to the commissioner under section 124E.05 before that authorizer is~~  
97.7 ~~able to submit any affidavit to charter to a school.~~

97.8 ~~"Application" under section 124E.06 means the charter school business plan a~~  
97.9 ~~school developer submits to an authorizer for approval to establish a charter school that~~  
97.10 ~~documents the school developer's mission statement, school purposes, program design,~~  
97.11 ~~financial plan, governance and management structure, and background and experience,~~  
97.12 ~~plus any other information the authorizer requests. The application also shall include a~~  
97.13 ~~"statement of assurances" of legal compliance prescribed by the commissioner.~~

97.14 (b) "Affidavit" means a written statement the authorizer submits to the commissioner  
97.15 for approval to establish a charter school under section 124E.06, subdivision 4, attesting to  
97.16 its review and approval process before chartering a school.

97.17 ~~(b) For purposes of this chapter:~~

97.18 ~~(1) "related party" means an affiliate or immediate relative of the other party in~~  
97.19 ~~question, an affiliate of an immediate relative, or an immediate relative of an affiliate;~~

97.20 ~~(2) (c) "Affiliate" means a person that directly or indirectly, through one or more~~  
97.21 ~~intermediaries, controls, is controlled by, or is under common control with another person;~~

97.22 ~~(d) "Control" means the ability to affect the management, operations, or policy actions~~  
97.23 ~~or decisions of a person, whether by owning voting securities, by contract, or otherwise.~~

97.24 ~~(3) (e) "Immediate family" means an individual whose relationship by blood,~~  
97.25 ~~marriage, adoption, or partnering partnership is no more remote than first cousin;~~

97.26 ~~(4) (f) "Person" means an individual or entity of any kind; and~~

97.27 ~~(5) "control" means the ability to affect the management, operations, or policy~~  
97.28 ~~actions or decisions of a person, whether through ownership of voting securities, by~~  
97.29 ~~contract, or otherwise.~~

97.30 ~~(g) "Related party" means an affiliate or immediate relative of the other interested~~  
97.31 ~~party, an affiliate of an immediate relative who is the other interested party, or an~~  
97.32 ~~immediate relative of an affiliate who is the other interested party.~~

97.33 ~~(h) For purposes of this chapter, the terms defined in section 120A.05 have the~~  
97.34 ~~same meanings.~~

97.35 Sec. 3. Minnesota Statutes 2015 Supplement, section 124E.03, is amended to read:

98.1 **124E.03 APPLICABLE LAW.**

98.2 Subdivision 1. **Public status; exemption from statutes and rules.** A charter school  
98.3 is a public school and is part of the state's system of public education. A charter school is  
98.4 exempt from all statutes and rules applicable to a school, school board, or school district  
98.5 unless a statute or rule is made specifically applicable to a charter school or is included  
98.6 in this chapter.

98.7 Subd. 2. **General Certain federal, state, and local requirements.** (a) A charter  
98.8 school shall meet all federal, state, and local health and safety requirements applicable  
98.9 to school districts.

98.10 (b) A school must comply with statewide accountability requirements governing  
98.11 standards and assessments in chapter 120B.

98.12 (c) A charter school ~~is subject to and~~ must comply with the Minnesota Public School  
98.13 Fee Law, sections 123B.34 to 123B.39.

98.14 (d) A charter school is a district for the purposes of tort liability under chapter 466.

98.15 (e) A charter school ~~is subject to~~ must comply with the Pledge of Allegiance  
98.16 requirement under section 121A.11, subdivision 3.

98.17 (f) A charter school and charter school board of directors ~~are subject to~~ must comply  
98.18 with chapter 181 governing requirements for employment.

98.19 (g) A charter school ~~is subject to and~~ must comply with continuing truant notification  
98.20 under section 260A.03.

98.21 (h) A charter school must develop and implement a teacher evaluation and peer  
98.22 review process under section 122A.40, subdivision 8, paragraph (b), clauses (2) to  
98.23 (13). The teacher evaluation process in this paragraph does not create any additional  
98.24 employment rights for teachers.

98.25 (i) A charter school must adopt a policy, plan, budget, and process, consistent with  
98.26 section 120B.11, to review curriculum, instruction, and student achievement and strive  
98.27 for the world's best workforce.

98.28 Subd. 3. **Pupils with a disability.** A charter school must comply with sections  
98.29 125A.02, 125A.03 to 125A.24, 125A.65, and 125A.75 and rules relating to the education  
98.30 of pupils with a disability as though it were a district. A charter school enrolling  
98.31 prekindergarten pupils with a disability under section 124E.11, paragraph (h), must  
98.32 comply with sections 125A.259 to 125A.48 and rules relating to the Interagency Early  
98.33 Intervention System as though it were a school district.

98.34 Subd. 4. **Students' rights and related law.** (a) A charter school ~~student~~ must  
98.35 ~~be released~~ release a student for religious instruction, consistent with section 120A.22,  
98.36 subdivision 12, clause (3).

99.1 (b) A charter school is ~~subject to and~~ must comply with chapter 363A governing the  
 99.2 Minnesota Human Rights Act and section 121A.04 governing student athletics and sex  
 99.3 discrimination in schools.

99.4 (c) A charter school must comply with section 121A.031 governing policies on  
 99.5 ~~prohibited conduct~~ bullying.

99.6 Subd. 5. **Records, meetings, and data requirements.** (a) A charter school must  
 99.7 comply with ~~chapters~~ chapter 13 and 13D governing government data; and sections  
 99.8 ~~120A.22, subdivision 7;~~ 121A.75; governing access to juvenile justice records, and  
 99.9 260B.171, subdivisions 3 and 5, governing juvenile justice records.

99.10 (b) A charter school must comply with section 120A.22, subdivision 7, governing  
 99.11 the transfer of students' educational records and sections 138.163 and 138.17 governing  
 99.12 the management of local records.

99.13 Subd. 5a. **Open meetings.** A charter school must comply with chapter 13D  
 99.14 governing open meetings.

99.15 Subd. 6. **Length of school year.** A charter school must provide instruction each  
 99.16 year for at least the number of hours required by section 120A.41. It may provide  
 99.17 instruction throughout the year ~~according to~~ under sections 124D.12 to 124D.127 or  
 99.18 124D.128 governing learning year programs.

99.19 Subd. 7. **Additional program-specific requirements.** (a) A charter school offering  
 99.20 online courses or programs must comply with section 124D.095 governing online learning.

99.21 (b) A charter school that provides early childhood health and developmental screening  
 99.22 must comply with sections 121A.16 to 121A.19 governing early childhood screening.

99.23 (c) A charter school that provides school-sponsored youth athletic activities must  
 99.24 comply with section 121A.38 governing policies on concussions.

99.25 Sec. 4. Minnesota Statutes 2015 Supplement, section 124E.05, is amended to read:

99.26 **124E.05 AUTHORIZERS.**

99.27 Subdivision 1. **Eligible authorizers.** (a) The following organizations in this  
 99.28 subdivision may authorize one or more charter schools:

99.29 ~~(1)~~ (b) A school board, intermediate school district school board, or education  
 99.30 district organized under sections 123A.15 to 123A.19; may authorize a charter school.

99.31 ~~(2)~~ (c) A charitable organization under section 501(c)(3) of the Internal Revenue  
 99.32 Code of 1986, ~~excluding a nonpublic sectarian or religious institution; any person other~~  
 99.33 ~~than a natural person that directly or indirectly, through one or more intermediaries,~~  
 99.34 ~~controls, is controlled by, or is under common control with the nonpublic sectarian or~~  
 99.35 ~~religious institution; and any other charitable organization under this clause that in the~~

100.1 ~~federal IRS Form 1023, Part IV, describes activities indicating a religious purpose, that~~  
 100.2 may authorize a charter school, if the organization:

100.3 ~~(i)~~ (1) is a member of the Minnesota Council of Nonprofits or the Minnesota Council  
 100.4 on Foundations;

100.5 ~~(ii)~~ (2) is registered with the attorney general's office; ~~and~~

100.6 ~~(iii)~~ (3) is incorporated in the state of Minnesota and has been operating continuously  
 100.7 for at least five years but does not operate a charter school; and

100.8 (4) is not:

100.9 (i) a nonpublic sectarian or religious institution;

100.10 (ii) any person other than a natural person that directly or indirectly, through one  
 100.11 or more intermediaries, controls, is controlled by, or is under common control with the  
 100.12 nonpublic sectarian or religious institution; or

100.13 (iii) any other charitable organization under this paragraph that in the federal IRS  
 100.14 Form 1023, Part IV, describes activities indicating a religious purpose.

100.15 ~~(3)~~ (d) A Minnesota private college, ~~notwithstanding clause (2),~~ that grants two- or  
 100.16 four-year degrees and is registered with the Minnesota Office of Higher Education under  
 100.17 chapter 136A; may authorize a charter school, notwithstanding paragraph (c).

100.18 ~~(e) community college, A state college or university, or technical college governed~~  
 100.19 ~~by the Board of Trustees of the Minnesota State Colleges and Universities; or~~ may  
 100.20 authorize a charter school.

100.21 ~~(f)~~ (f) The University of Minnesota; may authorize a charter school.

100.22 ~~(4)~~ (g) A nonprofit corporation subject to chapter 317A, described in section  
 100.23 317A.905; and exempt from federal income tax under section 501(c)(6) of the Internal  
 100.24 Revenue Code of 1986, may authorize one or more charter schools if the charter school  
 100.25 has operated for at least three years under a different authorizer and if the nonprofit  
 100.26 corporation has existed for at least 25 years; ~~or.~~

100.27 ~~(5)~~ (h) A single-purpose ~~authorizers~~ authorizer formed as a charitable, nonsectarian  
 100.28 ~~organizations~~ organization under section 501(c)(3) of the Internal Revenue Code of 1986  
 100.29 and incorporated in the state of Minnesota under chapter 317A as a corporation with no  
 100.30 members or under section 322B.975 as a nonprofit limited liability company for the sole  
 100.31 purpose of chartering schools may authorize a charter school. An eligible organization  
 100.32 interested in being approved as an authorizer under this paragraph must submit a proposal  
 100.33 to the commissioner that includes the provisions of subdivision 3 and a five-year financial  
 100.34 plan. A single-purpose authorizer under this paragraph shall consider and approve  
 100.35 charter school applications using the criteria under section 124E.06 and shall not limit

101.1 the applications it solicits, considers, or approves to any single curriculum, learning  
 101.2 program, or method.

101.3 Subd. 2. **Requirements for authorizers.** ~~(a) Eligible organizations interested in~~  
 101.4 ~~being approved as an authorizer under subdivision 1, clause (5), must submit a proposal to~~  
 101.5 ~~the commissioner that includes the provisions of subdivision 3 and a five-year financial~~  
 101.6 ~~plan. Such authorizers shall consider and approve charter school applications using~~  
 101.7 ~~the criteria provided in section 124E.06 and shall not limit the applications it solicits,~~  
 101.8 ~~considers, or approves to any single curriculum, learning program, or method.~~

101.9 (b) The authorizer must participate in department-approved training.

101.10 Subd. 3. **Application process.** (a) An eligible authorizer under this section must  
 101.11 apply to the commissioner for approval as an authorizer before submitting any affidavit to  
 101.12 the commissioner to charter a school. The application for approval as a charter school  
 101.13 authorizer must ~~demonstrate~~ show the applicant's ability to implement the procedures  
 101.14 and satisfy the criteria for chartering a school under this chapter. The commissioner  
 101.15 must approve or disapprove ~~an~~ the application within 45 business days of the ~~application~~  
 101.16 ~~deadline for that application period.~~ If the commissioner disapproves the application, the  
 101.17 commissioner must notify the applicant of the specific deficiencies in writing and the  
 101.18 applicant then has 20 business days to address the deficiencies to the commissioner's  
 101.19 satisfaction. After the 20 business days expire, the commissioner has 15 business days  
 101.20 to make a final decision to approve or disapprove the application. Failing to address  
 101.21 the deficiencies to the commissioner's satisfaction makes an applicant ineligible to be  
 101.22 an authorizer. The commissioner, in establishing criteria ~~for approval to approve an~~  
 101.23 authorizer, consistent with subdivision 4, must consider the applicant's:

101.24 (1) ~~capacity and infrastructure and capacity to serve as an authorizer;~~

101.25 (2) application criteria and process;

101.26 (3) contracting process;

101.27 (4) ongoing oversight and evaluation processes; and

101.28 (5) renewal criteria and processes.

101.29 (b) A disapproved applicant under this section may resubmit an application during a  
 101.30 future application period.

101.31 Subd. 4. **Application content.** To be approved as an authorizer, an applicant must  
 101.32 include in its application to the commissioner ~~to be an approved authorizer~~ at least the  
 101.33 following:

101.34 (1) how the organization carries out its mission by chartering schools ~~is a way for~~  
 101.35 ~~the organization to carry out its mission;~~

102.1 (2) ~~a description of the capacity of the organization~~ the organization's capacity to  
102.2 serve as an authorizer, including the personnel who ~~will~~ perform the authorizing duties,  
102.3 their qualifications, the amount of time they ~~will be~~ are assigned to this responsibility, and  
102.4 the financial resources ~~allocated by the organization~~ allocates to this responsibility;

102.5 (3) ~~a description of the application and review process the authorizer will use~~ uses to  
102.6 ~~make decisions regarding the granting of~~ decide whether to grant charters;

102.7 (4) ~~a description of the type of contract it will arrange~~ arranges with the schools it  
102.8 charters ~~that meets~~ to meet the provisions of section 124E.10;

102.9 (5) the process ~~to be used for providing ongoing oversight of~~ overseeing the school,  
102.10 consistent with ~~the contract expectations specified in clause (4) that assures,~~ to ensure that  
102.11 the schools chartered ~~are complying~~ comply with ~~both the provisions of~~ applicable law  
102.12 and rules; and ~~with~~ the contract;

102.13 (6) ~~a description of the criteria and process the authorizer will use~~ uses to ~~grant~~  
102.14 ~~expanded~~ approve applications adding grade or sites under section 124E.06, subdivision 5;

102.15 (7) the process for ~~making decisions regarding the renewal or termination of~~ renewing  
102.16 or terminating the school's charter based on evidence ~~that demonstrates~~ showing the  
102.17 academic, organizational, and financial competency of the school, including its success in  
102.18 increasing student achievement and meeting the goals of the charter school agreement; and

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

102.21 Subd. 5. **Review by commissioner.** The commissioner shall review an authorizer's  
102.22 performance every five years in a manner and form determined by the commissioner and  
102.23 may review an authorizer's performance more frequently at the commissioner's own  
102.24 initiative or at the request of a charter school operator, charter school board member, or  
102.25 other interested party. The commissioner, after completing the review, shall transmit a  
102.26 report with findings to the authorizer.

102.27 Subd. 6. **Corrective action.** (a) If, consistent with this chapter, the commissioner  
102.28 finds that an authorizer has not ~~fulfilled~~ met the requirements of this chapter, the  
102.29 commissioner may subject the authorizer to corrective action, which may include  
102.30 terminating the contract with the charter school board of directors of a school it chartered.  
102.31 The commissioner must notify the authorizer in writing of any findings that may subject  
102.32 the authorizer to corrective action and the authorizer then has 15 business days to request  
102.33 an informal hearing before the commissioner takes corrective action. If the commissioner  
102.34 terminates a contract between an authorizer and a charter school under this paragraph, the  
102.35 commissioner may assist the charter school in acquiring a new authorizer.

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

103.3 (1) failing to demonstrate the criteria under subdivision 4 3 under which the  
103.4 commissioner approved the authorizer;

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

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

103.8 (4) any good cause shown that ~~provides~~ gives the commissioner a legally sufficient  
103.9 reason to take corrective action against an authorizer.

103.10 Subd. 7. **Withdrawal.** If the governing board of an approved authorizer votes to  
103.11 withdraw as an approved authorizer for a reason unrelated to any cause under section  
103.12 124E.10, subdivision 4, the authorizer must notify all its chartered schools and the  
103.13 commissioner in writing by July 15 of its intent to withdraw as an authorizer on June 30 in  
103.14 the next calendar year, regardless of when the authorizer's five-year term of approval ends.  
103.15 The commissioner may approve the transfer of a charter school to a new authorizer ~~under~~  
103.16 ~~this subdivision~~ after the new authorizer submits an affidavit to the commissioner.

103.17 Subd. 8. **Reports.** By September 30 of each year, an authorizer shall submit to the  
103.18 commissioner a statement of income and expenditures related to chartering activities  
103.19 during the previous school year ending June 30. ~~A copy of the statement shall be given~~  
103.20 ~~to all schools chartered by the authorizer.~~ The authorizer must transmit a copy of the  
103.21 statement to all schools it charters.

103.22 Sec. 5. Minnesota Statutes 2015 Supplement, section 124E.06, is amended to read:

103.23 **124E.06 FORMING A SCHOOL.**

103.24 Subdivision 1. **Individuals eligible to organize.** (a) An authorizer, after receiving  
103.25 an application from a charter school developer, may charter either a licensed teacher  
103.26 under section 122A.18, subdivision 1, or a group of individuals that includes one or more  
103.27 licensed teachers under section 122A.18, subdivision 1, to operate a school subject to the  
103.28 commissioner's approval of the authorizer's affidavit under subdivision 4.

103.29 (b) "Application" under this section means the charter school business plan a charter  
103.30 school developer submits to an authorizer for approval to establish a charter school. This  
103.31 application must include:

103.32 (1) the school developer's:

103.33 (i) mission statement;

103.34 (ii) school purposes;

103.35 (iii) program design;

- 104.1 (iv) financial plan;  
 104.2 (v) governance and management structure; and  
 104.3 (vi) background and experience;  
 104.4 (2) any other information the authorizer requests; and  
 104.5 (3) a "statement of assurances" of legal compliance prescribed by the commissioner.

104.6 ~~(b)~~ (c) An authorizer shall not approve an application submitted by a charter school  
 104.7 developer under paragraph (a) if the application does not comply with subdivision 3,  
 104.8 paragraph ~~(d)~~ (e), and section 124E.01, subdivision 1. The commissioner shall not  
 104.9 approve an affidavit submitted by an authorizer under subdivision 4 if the affidavit does  
 104.10 not comply with subdivision 3, paragraph ~~(d)~~ (e), and section 124E.01, subdivision 1.

104.11 Subd. 2. **Nonprofit corporation.** (a) The school must be organized and operated as  
 104.12 a nonprofit corporation under chapter 317A and the provisions ~~under the applicable of that~~  
 104.13 chapter shall apply to the school except as provided in this chapter.

104.14 ~~(b)~~ (b) The operators authorized to organize and operate a school; must incorporate as a  
 104.15 nonprofit corporation before entering into a contract or other agreement for professional  
 104.16 or other services, goods, or facilities; ~~must incorporate as a nonprofit corporation under~~  
 104.17 ~~chapter 317A.~~

104.18 ~~(e)~~ (b) Notwithstanding sections 465.717 and 465.719, a school district, subject to  
 104.19 this chapter, may create a corporation for the purpose of establishing a charter school.

104.20 Subd. 3. **Requirements.** (a) The primary focus of a charter school must be to  
 104.21 provide a comprehensive program of instruction for at least one grade or age group from  
 104.22 ages five through 18 years of age. ~~Instruction~~ A charter school may be provided provide  
 104.23 instruction to people older than 18 years of age.

104.24 (b) A charter school may offer a free or fee-based preschool or prekindergarten that  
 104.25 meets high-quality early learning instructional program standards ~~that are~~ aligned with  
 104.26 Minnesota's early learning standards for children. The hours a student is enrolled in a  
 104.27 fee-based prekindergarten program do not generate pupil units under section 126C.05 and  
 104.28 must not be used to calculate general education revenue under section 126C.10.

104.29 ~~(b)~~ (c) A charter school must be nonsectarian in its programs, admission policies,  
 104.30 employment practices, and all other operations. An authorizer may not authorize a charter  
 104.31 school or program that is affiliated with a nonpublic sectarian school or a religious  
 104.32 institution.

104.33 ~~(e)~~ (d) ~~Charter schools~~ A charter school must not be used as a method of providing  
 104.34 to provide education or ~~generating~~ generate revenue for students ~~who are being~~  
 104.35 home-schooled students. This paragraph does not apply to shared time aid under section  
 104.36 126C.19.



105.1 ~~(d)~~ (e) This chapter does not provide a means to keep open a school that a  
 105.2 school board decides to close. However, a school board may endorse or authorize the  
 105.3 ~~establishment of~~ establishing a charter school to replace the school the board decided to  
 105.4 close. Applicants seeking a charter under this circumstance must demonstrate to the  
 105.5 authorizer that the charter sought is substantially different in purpose and program from  
 105.6 the school the board closed and that the proposed charter satisfies the requirements of  
 105.7 section 124E.01, subdivision 1. If the school board that closed the school authorizes  
 105.8 the charter, it must document in its affidavit to the commissioner that the charter is  
 105.9 substantially different in program and purpose from the school it closed.

105.10 (e) ~~(f)~~ A school authorized by a school board may be located in any district, unless  
 105.11 the school board of the district of the proposed location disapproves the location by  
 105.12 written resolution.

105.13 ~~(f)~~ (g) Except as provided in paragraph ~~(a)~~ (b), a charter school may not charge tuition.

105.14 ~~(g)~~ (h) The authorizer may prevent an approved charter school from opening for  
 105.15 operation if, among other grounds, the charter school violates this chapter or does not meet  
 105.16 the ready-to-open standards that are part of (1) the authorizer's oversight and evaluation  
 105.17 process or ~~are~~ (2) stipulated in the charter school contract.

105.18 Subd. 4. **Authorizer's affidavit; approval process; ~~authorizer's affidavit.~~** (a)  
 105.19 ~~Before the operators~~ an operator may establish and operate a school, the authorizer must  
 105.20 file an affidavit with the commissioner stating its intent to charter a school. An authorizer  
 105.21 must file a separate affidavit for each school it intends to charter. An authorizer must file  
 105.22 an affidavit at least 14 months before July 1 of the year the new charter school plans to  
 105.23 serve students. The affidavit must state:

105.24 (1) the terms and conditions under which the authorizer would charter a school; and

105.25 (2) how the authorizer intends to oversee:

105.26 (i) the fiscal and student performance of the charter school; and

105.27 ~~to comply~~ (ii) compliance with the terms of the written contract between the  
 105.28 authorizer and the charter school board of directors under section 124E.10, subdivision 1.

105.29 (b) The commissioner must approve or disapprove the authorizer's affidavit within  
 105.30 60 business days of ~~receipt of~~ receiving the affidavit. If the commissioner disapproves the  
 105.31 affidavit, the commissioner shall notify the authorizer of the deficiencies in the affidavit  
 105.32 and the authorizer then has 20 business days to address the deficiencies. The commissioner  
 105.33 must notify the authorizer of the commissioner's final approval or final disapproval  
 105.34 within 15 business days after receiving the authorizer's response to the deficiencies  
 105.35 in the affidavit. If the authorizer does not address deficiencies to the commissioner's  
 105.36 satisfaction, the commissioner's disapproval is final. ~~Failure to obtain commissioner~~

106.1 ~~approval precludes~~ An authorizer who fails to obtain the commissioner's approval is  
106.2 precluded from chartering the school that is the subject of this affidavit.

106.3 Subd. 5. ~~Expansion of a charter~~ Adding grades or sites. (a) A charter school  
106.4 may apply to the authorizer to amend the school charter to ~~expand the operation of~~  
106.5 ~~the school to additional~~ add grades or sites ~~that would be students'~~ primary enrollment  
106.6 ~~site~~ sites beyond those defined in the original affidavit approved by the commissioner.  
106.7 After approving the school's application, the authorizer shall submit a ~~supplementary~~  
106.8 supplemental affidavit in the form and manner prescribed by the commissioner. The  
106.9 authorizer must file a ~~supplement~~ supplemental affidavit to the commissioner by October  
106.10 1 to be eligible to ~~expand~~ add grades or sites in the next school year. The ~~supplementary~~  
106.11 supplemental affidavit must document ~~that the school has demonstrated to the~~ authorizer's  
106.12 ~~satisfaction of the authorizer the following:~~

106.13 (1) the need for the ~~expansion~~ additional grades or sites with supporting long-range  
106.14 enrollment projections;

106.15 (2) a longitudinal record of ~~demonstrated~~ student academic performance and growth  
106.16 on statewide assessments under chapter 120B or on other academic assessments that  
106.17 measure longitudinal student performance and growth approved by the charter school's  
106.18 board of directors and agreed upon with the authorizer;

106.19 (3) a history of sound school finances and a ~~finance~~ plan to ~~implement the expansion~~  
106.20 ~~in a manner to promote~~ add grades or sites that sustains the school's ~~financial sustainability~~  
106.21 finances; and

106.22 (4) board capacity ~~and an administrative and management plan to implement its~~  
106.23 ~~expansion to administer and manage the additional~~ grades or sites.

106.24 (b) The commissioner shall have 30 business days to review and comment on the  
106.25 supplemental affidavit. The commissioner shall notify the authorizer in writing of any  
106.26 deficiencies in the supplemental affidavit and the authorizer then has 20 business days to  
106.27 ~~address, to the commissioner's satisfaction,~~ any deficiencies in the supplemental affidavit  
106.28 to the commissioner's satisfaction. The commissioner must notify the authorizer of final  
106.29 approval or final disapproval within 15 business days after receiving the authorizer's  
106.30 response to the deficiencies in the affidavit. The school may not ~~expand~~ add grades or ~~add~~  
106.31 sites until the commissioner has approved the supplemental affidavit. The commissioner's  
106.32 approval or disapproval of a supplemental affidavit is final.

106.33 Subd. 6. **Conversion of existing schools.** A board of an independent or special  
106.34 school district may convert one or more of its existing schools to charter schools under  
106.35 this chapter if 60 percent of the full-time teachers at the school sign a petition seeking  
106.36 conversion. The conversion must occur at the beginning of an academic year.

107.1 Subd. 7. **Merger.** (a) Two or more charter schools may merge under chapter 317A.  
 107.2 The effective date of a merger must be July 1. The merged school must continue under  
 107.3 the identity of one of the merging schools. The authorizer and the merged school must  
 107.4 execute a new charter contract under section 124E.10, subdivision 1, ~~must be executed~~ by  
 107.5 July 1. The authorizer must submit to the commissioner a copy of the new signed charter  
 107.6 contract within ten business days of ~~its execution~~ executing the contract.

107.7 (b) Each merging school must submit a separate year-end report for the previous  
 107.8 fiscal year for that school only. After the final fiscal year of the premerger schools is  
 107.9 closed out, each of those schools must transfer the fund balances and debts from the  
 107.10 merging schools must be transferred to the merged school.

107.11 (c) For its first year of operation, the merged school is eligible to receive aid from  
 107.12 programs requiring approved applications equal to the sum of the aid of all of the merging  
 107.13 schools. For aids based on prior year data, the merged school is eligible to receive aid for  
 107.14 its first year of operation based on the combined data of all of the merging schools.

107.15 Sec. 6. Minnesota Statutes 2015 Supplement, section 124E.07, is amended to read:

107.16 **124E.07 BOARD OF DIRECTORS.**

107.17 Subdivision 1. **Initial board of directors.** Before entering into a contract or other  
 107.18 agreement for professional or other services, goods, or facilities, the operators authorized  
 107.19 to organize and operate a school, ~~before entering into a contract or other agreement for~~  
 107.20 ~~professional or other services, goods, or facilities,~~ must establish a board of directors  
 107.21 composed of at least five members who are not related parties. The initial board continues  
 107.22 to serve until a timely election for members of the ongoing charter school board of  
 107.23 directors is held according to the school's articles and bylaws under subdivision 4.

107.24 Subd. 2. **Ongoing board of directors.** The ongoing board must be elected before  
 107.25 the school completes its third year of operation. Board elections must be held during the  
 107.26 school year but may not be conducted on days when the school is closed ~~for holidays,~~  
 107.27 ~~breaks, or vacations.~~

107.28 Subd. 3. **Membership criteria.** (a) The ongoing charter school board of directors  
 107.29 shall ~~be composed of~~ have at least five nonrelated members and include: (1) at least  
 107.30 one licensed teacher who is employed as a teacher at the school or ~~providing~~ provides  
 107.31 instruction under contract between the charter school and a cooperative; (2) at least one  
 107.32 parent or legal guardian of a student enrolled in the charter school who is not an employee  
 107.33 of the charter school; and (3) at least one interested community member who resides in  
 107.34 Minnesota ~~and~~ <sub>2</sub> is not employed by the charter school<sub>2</sub> and does not have a child enrolled  
 107.35 in the school. The board structure may include a majority of teachers ~~described in~~ under

108.1 this paragraph or parents or community members, or it may have no clear majority. The  
108.2 chief financial officer and the chief administrator may only serve as ex-officio nonvoting  
108.3 board members. No charter school employees shall serve on the board other than teachers  
108.4 under clause (1). Contractors providing facilities, goods, or services to a charter school  
108.5 shall not serve on the board of directors of the charter school.

108.6 (b) An individual is prohibited from serving as a member of the charter school board  
108.7 of directors if: (1) the individual, an immediate family member, or the individual's partner  
108.8 is a full or part owner or principal with a for-profit or nonprofit entity or independent  
108.9 contractor with whom the charter school contracts, directly or indirectly, for professional  
108.10 services, goods, or facilities. ~~An individual is prohibited from serving as a board member~~  
108.11 ~~if;~~ or (2) an immediate family member is an employee of the school. An individual may  
108.12 serve as a member of the board of directors if no conflict of interest exists under this  
108.13 paragraph, consistent with this section.

108.14 (c) A violation of ~~this prohibition~~ paragraph (b) renders a contract voidable at the  
108.15 option of the commissioner or the charter school board of directors. A member of a charter  
108.16 school board of directors who violates ~~this prohibition~~ paragraph (b) is individually liable  
108.17 to the charter school for any damage caused by the violation.

108.18 (e) ~~(d)~~ Any employee, agent, or board member of the authorizer who participates  
108.19 ~~in the initial review, approval, ongoing oversight, evaluation, or the charter renewal or~~  
108.20 ~~nonrenewal process or decision~~ initially reviewing, approving, overseeing, evaluating,  
108.21 renewing, or not renewing the charter school is ineligible to serve on the board of directors  
108.22 of a school chartered by that authorizer.

108.23 ~~(d) An individual may serve as a member of the board of directors if no conflict of~~  
108.24 ~~interest under paragraph (b) exists.~~

108.25 Subd. 4. **Structure of Board structure.** Board bylaws shall outline the process and  
108.26 procedures for changing the board's governance structure, consistent with chapter 317A.

108.27 A board may change its governance structure only:

108.28 (1) by a majority vote of the board of directors and a majority vote of the licensed  
108.29 teachers employed by the school as teachers, including licensed teachers providing  
108.30 instruction under a contract between the school and a cooperative; and

108.31 (2) with the authorizer's approval.

108.32 Any change in board governance structure must conform with the board composition  
108.33 ~~of the board~~ established under this ~~subdivision~~ section.

108.34 Subd. 5. **Eligible voters.** Staff members employed at the school, including teachers  
108.35 providing instruction under a contract with a cooperative, members of the board of  
108.36 directors, and all parents or legal guardians of children enrolled in the school are the voters

109.1 eligible to elect the members of the school's board of directors. A charter school must  
 109.2 notify eligible voters of the school board election dates at least 30 days before the election.

109.3 Subd. 6. **Duties.** The board of directors also shall decide and ~~be~~ are responsible  
 109.4 for policy matters related to ~~the operation of~~ operating the school, including budgeting,  
 109.5 curriculum programming, personnel, and operating procedures. The board shall adopt a  
 109.6 ~~policy on nepotism in employment~~ policy. The board shall adopt personnel evaluation  
 109.7 policies and practices that, at a minimum:

109.8 (1) carry out the school's mission and goals;

109.9 (2) evaluate ~~the execution of~~ how charter contract goals and commitments are  
 109.10 executed;

109.11 (3) evaluate student achievement, postsecondary and workforce readiness, and  
 109.12 student engagement and connection goals;

109.13 (4) establish a teacher evaluation process under section 124E.03, subdivision 2,  
 109.14 paragraph (h); and

109.15 (5) provide professional development related to the individual's job responsibilities.

109.16 Subd. 7. **Training.** Every charter school board member shall attend annual training  
 109.17 throughout the member's term ~~on the board~~. All new board members shall attend initial  
 109.18 training on the board's role and responsibilities, employment policies and practices, and  
 109.19 financial management. A new board member who does not begin the required initial  
 109.20 training within six months after being seated and complete that training within 12 months  
 109.21 ~~of~~ after being seated ~~on the board~~ is automatically ineligible to continue to serve as a board  
 109.22 member. The school shall include in its annual report the training each board member  
 109.23 ~~attended by each board member~~ during the previous year.

109.24 Subd. 8. **Meetings and information.** (a) Board of director meetings must comply  
 109.25 with chapter 13D governing open meetings.

109.26 (b) A charter school shall publish and maintain on the school's official Web site: (1)  
 109.27 the meeting minutes ~~of meetings~~ of the board of directors; and of members and committees  
 109.28 having ~~any~~ board-delegated authority, for at least ~~one calendar year~~ 365 days from the  
 109.29 date of publication; (2) directory information for ~~members of~~ the board of directors and  
 109.30 for the members of committees having board-delegated authority; and (3) identifying and  
 109.31 contact information for the school's authorizer.

109.32 (c) A charter school must include identifying and contact information for the school's  
 109.33 authorizer ~~must be included~~ in other school materials ~~made~~ it makes available to the public.

109.34 Sec. 7. Minnesota Statutes 2015 Supplement, section 124E.08, is amended to read:

110.1 **124E.08 ~~COLLABORATION BETWEEN CHARTER SCHOOL AND~~**  
 110.2 **SCHOOL DISTRICT COLLABORATION.**

110.3 (a) A charter school board may voluntarily enter into a two-year, renewable  
 110.4 collaboration agreement for collaboration with a school district in which the charter school  
 110.5 is geographically located to enhance student the achievement with a school district within  
 110.6 whose geographic boundary it operates of the students in the district and the students in  
 110.7 the charter school.

110.8 (b) A school district need does not need to be either an approved authorizer or the  
 110.9 authorizer of the charter school to enter into a collaboration agreement with a charter  
 110.10 school under this section. A charter school need not be authorized by the school district  
 110.11 with which it seeks to collaborate.

110.12 (c) A charter school authorizer is prohibited from requiring a collaboration  
 110.13 agreement as a condition of entering into or renewing a charter contract as defined in  
 110.14 section 124E.10, subdivision 1.

110.15 (d) Nothing in this section or in the collaboration agreement may impact in any way  
 110.16 the authority or autonomy of the charter school.

110.17 (e) Nothing in this section or in the collaboration agreement shall cause the state to  
 110.18 pay twice for the same student, service, or facility or otherwise impact state funding, or  
 110.19 the flow thereof, to the school district or the charter school.

110.20 (f) (b) The collaboration agreement may include, but need is not be limited  
 110.21 to, collaboration regarding facilities, transportation, training, student achievement,  
 110.22 assessments, mutual performance standards, and other areas of mutual agreement.

110.23 (g) (c) For purposes of student assessment and reporting to the state under section  
 110.24 120B.36, the school district may include the academic performance of the students of a  
 110.25 collaborative charter school site operating within the geographic boundaries of the school  
 110.26 district, for purposes of student assessment and reporting to the state under paragraph (a).

110.27 (h) Districts, authorizers, or charter schools entering into a collaborative agreement  
 110.28 are equally and collectively subject to the same state and federal accountability measures  
 110.29 for student achievement, school performance outcomes, and school improvement  
 110.30 strategies. The collaborative agreement and all accountability measures must be posted  
 110.31 on the district, charter school, and authorizer Web sites.

110.32 (d) Nothing in this section or in the collaboration agreement may impact in any way  
 110.33 the authority or autonomy of the charter school.

110.34 (e) Nothing in this section or in the collaboration agreement shall cause the state to  
 110.35 pay twice for the same student, service, or facility or otherwise impact state funding or  
 110.36 payment to the school district or the charter school.

111.1 Sec. 8. Minnesota Statutes 2015 Supplement, section 124E.10, is amended to read:

111.2 **124E.10 CHARTER CONTRACT.**

111.3 Subdivision 1. **Contents.** (a) ~~The authorization for~~ To authorize a charter school, the  
 111.4 authorizer and the charter school board of directors must be in the form of sign a written  
 111.5 contract signed by the authorizer and the board of directors of the charter school. The  
 111.6 contract must be completed within 45 business days of the commissioner's approval of  
 111.7 the authorizer's affidavit. The authorizer shall submit ~~to the commissioner~~ a copy of the  
 111.8 signed charter contract to the commissioner within ten business days of its execution after  
 111.9 the contract is signed by the contracting parties. The contract ~~for a charter school~~ must  
 111.10 be in writing and contain include at least the following:

111.11 (1) a declaration that the charter school will carry out the primary purpose in section  
 111.12 124E.01, subdivision 1, and indicate how the school will report its implementation of the  
 111.13 primary purpose to its authorizer;

111.14 (2) a declaration of the additional purpose or purposes in section 124E.01,  
 111.15 subdivision 1, that the school intends to carry out and indicate how the school will report  
 111.16 its implementation of those purposes to its authorizer;

111.17 (3) a description of the school program and the specific academic and nonacademic  
 111.18 outcomes that pupils must achieve;

111.19 (4) a statement of admission policies and procedures;

111.20 (5) a school governance, management, and administration plan for the school;

111.21 (6) signed agreements from charter school board members to comply with ~~all~~ the  
 111.22 federal and state laws governing organizational, programmatic, and financial requirements  
 111.23 applicable to charter schools;

111.24 (7) the criteria, processes, and procedures ~~that~~ the authorizer will use to monitor and  
 111.25 evaluate the fiscal, operational, and academic performance, consistent with subdivision  
 111.26 3, paragraphs (a) and (b);

111.27 (8) for contract renewal, the formal written performance evaluation ~~of the school~~  
 111.28 that is a prerequisite for reviewing a charter contract under subdivision 3;

111.29 (9) types and amounts of insurance liability coverage ~~to be obtained by~~ the charter  
 111.30 school must obtain, consistent with section 124E.03, subdivision 2, paragraph (d);

111.31 (10) consistent with section 124E.09, paragraph (d), a provision to indemnify and  
 111.32 hold harmless ~~the authorizer and its officers, agents, and employees~~ from any suit, claim,  
 111.33 or liability arising from any charter school operation ~~of the charter school~~;

111.34 (i) the authorizer and its officers, agents, and employees; and

111.35 (ii) notwithstanding section 3.736, the commissioner and department officers,  
 111.36 agents, and employees ~~notwithstanding section 3.736~~;

112.1 (11) the term of the ~~initial~~ contract, which, for an initial contract, may be up to five  
 112.2 years plus an additional preoperational planning year, ~~and up to five years~~ or for a renewed  
 112.3 contract or a contract with a new authorizer after a transfer of authorizers, may be up to  
 112.4 five years, if warranted by the school's academic, financial, and operational performance;

112.5 (12) how the charter school board of directors or the charter school operators ~~of the~~  
 112.6 ~~charter school~~ will provide special instruction and services for children with a disability  
 112.7 under sections 125A.03 to 125A.24, and 125A.65, and a description of the financial  
 112.8 parameters within which the charter school will ~~operate to~~ provide the special instruction  
 112.9 and services to children with a disability;

112.10 (13) the specific conditions for contract renewal that identify the performance of  
 112.11 all students under the primary purpose of section 124E.01, subdivision 1, as the most  
 112.12 important factor in determining whether to renew the contract renewal; and

112.13 (14) the additional purposes under section 124E.01, subdivision 1, and related  
 112.14 performance obligations under clause (7) contained in the charter contract as additional  
 112.15 factors in determining whether to renew the contract renewal; and.

112.16 ~~(15)~~ (b) In addition to the requirements of paragraph (a), the charter contract must  
 112.17 contain the plan for an orderly closing of the school under chapter 317A, that establishes  
 112.18 the responsibilities of the school board of directors and the authorizer, whether the closure  
 112.19 is a termination for cause, a voluntary termination, or a nonrenewal of the contract; ~~that~~  
 112.20 ~~includes establishing the responsibilities of the school board of directors and the authorizer~~  
 112.21 ~~and notifying~~. The plan must establish who is responsible for:

112.22 (1) notifying the commissioner, ~~authorizer~~, school district in which the charter  
 112.23 school is located, and parents of enrolled students about the closure;<sub>2</sub>

112.24 (2) providing parents of enrolled students information and assistance ~~sufficient to~~  
 112.25 enable the student to re-enroll in another school; ~~the~~<sub>2</sub>

112.26 (3) ~~transfer of~~ transferring student records under section 124E.03, subdivision 5,  
 112.27 paragraph (b), to the student's resident school district; and

112.28 (4) ~~procedures for~~ closing financial operations.

112.29 ~~(b)~~ (c) A charter school must design its programs to at least meet the outcomes  
 112.30 adopted by the commissioner for public school students. In the absence of the  
 112.31 commissioner's requirements governing state standards and benchmarks, the school must  
 112.32 meet the outcomes contained in the contract with the authorizer. The achievement levels  
 112.33 of the outcomes contained in the contract may exceed the achievement levels of any  
 112.34 outcomes adopted by the commissioner for public school students.

112.35 Subd. 2. **Limitations** Limits on charter contract school agreements. (a) A  
 112.36 school must disclose to the commissioner any potential contract, lease, or purchase of



113.1 service from an authorizer ~~must be disclosed to the commissioner~~. The contract, lease, or  
113.2 purchase must be accepted through an open bidding process, and be a separate contract  
113.3 from the charter contract. The school must document the open bidding process. An  
113.4 authorizer must not enter into a contract to provide management and financial services ~~for~~  
113.5 to a school that it authorizes, unless the school documents that it received receiving at  
113.6 least two competitive bids.

113.7 (b) ~~The~~ An authorizer must not condition granting or renewal of renewing a charter  
113.8 school by an authorizer must not be contingent on:

113.9 (1) the charter school being required to contract, lease, or purchase services from  
113.10 the authorizer; or

113.11 (e) ~~The granting or renewal of a charter by an authorizer must not be conditioned~~  
113.12 upon (2) the bargaining unit status of the school employees of the school.

113.13 Subd. 3. **Review and comment.** (a) The authorizer shall provide a formal written  
113.14 evaluation of the school's performance before the authorizer renews the charter contract.  
113.15 The ~~department~~ commissioner must review and comment on the authorizer's evaluation  
113.16 process at the time the authorizer submits its application for approval and each time the  
113.17 authorizer undergoes its five-year review under section 124E.05, subdivision 5.

113.18 (b) An authorizer shall monitor and evaluate the academic, financial, operational,  
113.19 and student performance of the school, and may ~~for this purpose annually~~ assess a charter  
113.20 school a fee according to paragraph (c). The agreed-upon fee structure must be stated in  
113.21 the charter school contract.

113.22 (c) The fee that an authorizer may annually assess is the greater of:

113.23 (1) the basic formula allowance for that year; or

113.24 (2) the lesser of:

113.25 (i) the maximum fee factor times the basic formula allowance for that year; or

113.26 (ii) the fee factor times the basic formula allowance for that year times the charter  
113.27 school's adjusted pupil units for that year. The fee factor equals .015. The maximum  
113.28 fee factor equals 4.0.

113.29 (d) An authorizer may not assess a fee for any required services other than as  
113.30 provided in this subdivision.

113.31 (e) For the preoperational planning period, after a school is chartered, the authorizer  
113.32 may assess a charter school a fee equal to the basic formula allowance.

113.33 Subd. 4. **Causes for nonrenewal or termination of charter school contract.** (a)  
113.34 The duration of the contract with an authorizer must be for the term contained in the  
113.35 contract according to subdivision 1, paragraph (a). The authorizer may or may not renew a  
113.36 contract at the end of the term for any ground listed in paragraph (b). An authorizer may

114.1 unilaterally terminate a contract during the term of the contract for any ground listed in  
114.2 paragraph (b). At least 60 business days before not renewing or terminating a contract,  
114.3 the authorizer shall notify the board of directors of the charter school of the proposed  
114.4 action in writing. The notice shall state the grounds for the proposed action in reasonable  
114.5 detail and ~~that~~ describe the informal hearing process, consistent with this paragraph. The  
114.6 charter school's board of directors may request in writing an informal hearing before the  
114.7 authorizer within 15 business days ~~of~~ after receiving notice of nonrenewal or termination  
114.8 of the contract. Failure by the board of directors to make a written request for an informal  
114.9 hearing within the 15-business-day period shall be treated as acquiescence to the proposed  
114.10 action. Upon receiving a timely written request for a hearing, the authorizer shall give ten  
114.11 business days' notice to the charter school's board of directors of the hearing date. The  
114.12 authorizer shall conduct an informal hearing before taking final action. The authorizer  
114.13 shall take final action to renew or not renew a contract no later than 20 business days  
114.14 before the proposed date for terminating the contract or the end date of the contract.

114.15 (b) An authorizer may terminate or not renew a contract ~~may be terminated or not~~  
114.16 ~~renewed~~ upon any of the following grounds:

- 114.17 (1) failure to demonstrate satisfactory academic achievement for all students,  
114.18 including the requirements for pupil performance contained in the contract;  
114.19 (2) failure to meet generally accepted standards of fiscal management;  
114.20 (3) violations of law; or  
114.21 (4) other good cause shown.

114.22 If the authorizer terminates or does not renew a contract ~~is terminated or not~~  
114.23 ~~renewed~~ under this paragraph, the school must be dissolved according to the applicable  
114.24 provisions of chapter 317A.

114.25 (c) The commissioner, after providing reasonable notice to the board of directors of  
114.26 a charter school and the existing authorizer, and after providing an opportunity for a public  
114.27 hearing, may terminate the existing contract between the authorizer and the charter school  
114.28 board if the charter school has a history of:

- 114.29 (1) failure to meet pupil performance requirements, consistent with state law;  
114.30 (2) financial mismanagement or failure to meet generally accepted standards of  
114.31 fiscal management; or  
114.32 (3) repeated or major violations of the law.

114.33 Subd. 5. **Mutual nonrenewal.** If the authorizer and the charter school board of  
114.34 directors mutually agree not to renew the contract, a change in authorizers is allowed. The  
114.35 authorizer and the school board must jointly submit a written and signed letter of their  
114.36 intent to the commissioner to mutually not renew the contract. The authorizer that is a party

115.1 to the existing contract must inform the proposed authorizer about the fiscal, operational,  
 115.2 and student performance status of the school, as well as any outstanding contractual  
 115.3 obligations ~~that exist~~. The charter contract between the proposed authorizer and the school  
 115.4 must identify and provide a plan to address any outstanding obligations from the previous  
 115.5 contract. The proposed authorizer must submit the proposed contract ~~must be submitted~~ at  
 115.6 least 105 business days before the end of the existing charter contract. The commissioner  
 115.7 ~~shall have~~ has 30 business days to review and make a determination on the change in  
 115.8 authorizer. The proposed authorizer and the school ~~shall~~ have 15 business days to respond  
 115.9 to the determination and address any issues identified by the commissioner. ~~A final~~  
 115.10 ~~determination by~~ The commissioner ~~shall be made~~ must make a final determination no later  
 115.11 than 45 business days before the end of the current charter contract. If ~~no~~ the commissioner  
 115.12 does not approve a change in authorizer is approved, the school and the current authorizer  
 115.13 may withdraw their letter of nonrenewal and enter into a new contract. If the ~~transfer of~~  
 115.14 ~~authorizers is not approved~~ commissioner does not approve a change in authorizer and the  
 115.15 current authorizer and the school do not withdraw their letter and enter into a new contract,  
 115.16 the school must be dissolved according to applicable law and the terms of the contract.

115.17 **Subd. 6. Pupil enrollment upon nonrenewal or termination of charter school**  
 115.18 **contract.** (a) If a contract is not renewed or is terminated according to subdivision 4 or  
 115.19 5, a pupil who attended the school, siblings of the pupil, or another pupil who resides  
 115.20 ~~in the same place as with~~ the pupil may enroll in the resident district or may submit  
 115.21 an application to a nonresident district according to section 124D.03 governing open  
 115.22 enrollment at any time. Applications and notices required by section 124D.03 must be  
 115.23 processed and provided in a prompt manner. The application and notice deadlines in  
 115.24 section 124D.03 do not apply under these circumstances.

115.25 (b) Within ten business days of closing the charter school, the closed ~~charter~~ school  
 115.26 must transfer the student's educational records ~~within ten business days of closure~~ to the  
 115.27 student's school district of residence where the records must be retained or transferred  
 115.28 under section 120A.22, subdivision 7.

115.29 Sec. 9. Minnesota Statutes 2015 Supplement, section 124E.12, is amended to read:

115.30 **124E.12 EMPLOYMENT.**

115.31 Subdivision 1. **Teachers.** A charter school must employ or contract with necessary  
 115.32 teachers, as defined by section 122A.15, subdivision 1, who hold valid licenses to perform  
 115.33 the particular service for which they are employed in the school. The commissioner may  
 115.34 reduce the charter school's state aid ~~may be reduced~~ under section 127A.43 if the school  
 115.35 employs a teacher who is not appropriately licensed or approved by the board of teaching.

116.1 The school may employ necessary employees who are not required to hold teaching  
116.2 licenses to perform duties other than teaching and may contract for other services. The  
116.3 school may discharge teachers and nonlicensed employees. The charter school board is  
116.4 subject to section 181.932 governing whistle-blowers. When offering employment to a  
116.5 prospective employee, a charter school must give that employee a written description of  
116.6 the terms and conditions of employment and the school's personnel policies.

116.7 Subd. 2. **Administrators.** (a) A person, without holding a valid administrator's  
116.8 license, may perform administrative, supervisory, or instructional leadership duties.  
116.9 The board of directors shall establish qualifications for all persons that who hold  
116.10 administrative, supervisory, or instructional leadership roles. The qualifications shall  
116.11 ~~include cover~~ at least ~~the following~~ areas: instruction and assessment; human resource  
116.12 and personnel management; financial management; legal and compliance management;  
116.13 effective communication; and board, authorizer, and community relationships. The board  
116.14 of directors shall use those qualifications as the basis for job descriptions, hiring, and  
116.15 performance evaluations of those who hold administrative, supervisory, or instructional  
116.16 leadership roles.

116.17 (b) The board of directors and an individual who does not hold a valid administrative  
116.18 license and who serves in an administrative, supervisory, or instructional leadership  
116.19 position shall develop a professional development plan. ~~Documentation of the~~  
116.20 ~~implementation of~~ The school's annual report must include public personnel information  
116.21 documenting the professional development plan ~~of these persons shall be included in~~  
116.22 ~~the school's annual report~~.

116.23 Subd. 3. **Collective bargaining.** Employees of the board of directors of a charter  
116.24 school may, if otherwise eligible, organize under chapter 179A and comply with its  
116.25 provisions. The board of directors of a charter school is a public employer, for the  
116.26 purposes of chapter 179A, ~~upon formation of~~ when forming one or more bargaining units  
116.27 at the school. Bargaining units at the school must be separate from any other units within  
116.28 an authorizing district, except that bargaining units may remain part of the appropriate  
116.29 unit within an authorizing district; if the employees of the school, the board of directors of  
116.30 the school, the exclusive representative of the appropriate unit in the authorizing district,  
116.31 and the board of the authorizing district agree to include the employees in the appropriate  
116.32 unit of the authorizing district. The board of directors of a charter school with employees  
116.33 organized under this subdivision must comply with sections 471.6161 governing group  
116.34 insurance and 471.895 governing gifts.

117.1 Subd. 4. **Teacher and other employee retirement.** (a) Teachers in a charter school  
117.2 must be public school teachers for the purposes of chapters 354 and 354A governing the  
117.3 Teacher Retirement Act.

117.4 (b) Except for teachers under paragraph (a), employees in a charter school must  
117.5 be public employees for the purposes of chapter 353 governing the Public Employees  
117.6 Retirement Act.

117.7 Subd. 5. **Group health insurance.** (a) A charter school board with at least 25  
117.8 employees or a teacher cooperative of licensed teachers providing instruction under  
117.9 a contract between a school and a cooperative that provides group health insurance  
117.10 coverage shall:

117.11 (1) request proposals for group health insurance coverage from a minimum of three  
117.12 sources at least every two years; and

117.13 (2) notify employees covered by the group health insurance coverage before the  
117.14 effective date of the changes in the group coverage policy contract.

117.15 (b) A charter school board or a cooperative of teachers that provides group health  
117.16 insurance coverage must establish and publish on its Web site the policy for ~~the purchase~~  
117.17 ~~of purchasing~~ group health insurance coverage. A charter school board policy must  
117.18 include a sealed proposal process, which requires all proposals to be opened at the same  
117.19 time. Upon ~~the openings of opening~~ the proposals ~~in accordance with~~ according to the  
117.20 school or cooperative policy, the proposals become public data under chapter 13.

117.21 Nothing in this subdivision supersedes the right of an exclusive representative to negotiate  
117.22 ~~over the~~ terms and conditions of employment.

117.23 Subd. 6. **Leave to teach in a charter school.** If a teacher employed by a district  
117.24 makes a written request for an extended leave of absence to teach at a charter school, the  
117.25 district must grant the leave. The district must grant a leave not to exceed a total of five  
117.26 years. Any request to extend the leave shall be granted only at the discretion of the school  
117.27 board. The district may require ~~that a teacher to make~~ the request for a leave or extension  
117.28 of leave ~~be made~~ before February 1 in the school year preceding the school year in which  
117.29 the teacher intends to leave, or February 1 of the calendar year in which the teacher's leave  
117.30 is scheduled to terminate. Except as otherwise provided in this subdivision and ~~except~~  
117.31 ~~for~~ section 122A.46, subdivision 7, governing employment in another district, the leave  
117.32 is governed by section 122A.46, including, but not limited to, reinstatement, notice of  
117.33 intention to return, seniority, salary, and insurance.

117.34 During a leave, the teacher may continue to aggregate benefits and credits in the  
117.35 Teachers' Retirement Association account under chapters 354 and 354A, consistent with  
117.36 subdivision 4.

118.1 Sec. 10. Minnesota Statutes 2015 Supplement, section 124E.13, is amended to read:

118.2 **124E.13 FACILITIES.**

118.3 Subdivision 1. **Leased space.** A charter school may lease space from: an  
 118.4 independent or special school board; other public organization; private, nonprofit,  
 118.5 nonsectarian organization; private property owner; or a sectarian organization if the  
 118.6 leased space is constructed as a school facility. The ~~department~~ commissioner must  
 118.7 review and approve or disapprove leases in a timely manner ~~for purposes of determining~~  
 118.8 to determine eligibility for lease aid under section 124E.22.

118.9 Subd. 2. **Related party lease costs.** (a) A charter school is ~~prohibited from entering~~  
 118.10 must not enter into a lease of real property with a related party unless the lessor is a  
 118.11 nonprofit corporation under chapter 317A or a cooperative under chapter 308A, and the  
 118.12 lease cost is reasonable under section 124E.22, paragraph (a), clause (1).

118.13 (b) A ~~lease of real property to be used for a charter school, not excluded in related~~  
 118.14 party permitted to enter into a lease under paragraph (a); must contain include the  
 118.15 following statement in the lease: "This lease is subject to Minnesota Statutes, section  
 118.16 124E.13, subdivision 2."

118.17 (c) If a charter school ~~enters into as lessee a lease with~~ leases space from a related  
 118.18 party and the charter school subsequently closes, the commissioner has the right to recover  
 118.19 from the ~~lessor~~ related party any lease payments in excess of those that are reasonable  
 118.20 under section 124E.22, paragraph (a), clause (1).

118.21 Subd. 3. **Affiliated nonprofit building corporation.** (a) An affiliated nonprofit  
 118.22 building corporation may purchase, expand, or renovate an existing facility to serve as a  
 118.23 school or may construct a new school facility. A charter school may organize an affiliated  
 118.24 nonprofit building corporation ~~(1) to purchase, expand, or renovate an existing facility to~~  
 118.25 ~~serve as a school or (2) to construct a new school facility~~ if the charter school:

118.26 (i) ~~(1) has been in operation~~ operated for at least six consecutive years;

118.27 (ii) ~~(2)~~ as of June 30, has a net positive unreserved general fund balance in the  
 118.28 preceding three fiscal years;

118.29 (iii) ~~(3)~~ has long-range strategic and financial plans that include enrollment  
 118.30 projections for at least five years;

118.31 (iv) ~~(4)~~ completes a feasibility study of facility options that outlines the benefits  
 118.32 and costs of ~~the options~~ each option; and

118.33 (v) ~~(5)~~ has a plan for ~~purchase, renovation, or new construction which~~ that describes  
 118.34 project parameters and budget.

118.35 (b) An affiliated nonprofit building corporation under this subdivision must:

118.36 (1) be incorporated under section 317A;

119.1 (2) comply with applicable Internal Revenue Service regulations, including  
 119.2 regulations for "supporting organizations" as defined by the Internal Revenue Service;

119.3 (3) post on the school Web site the name, mailing address, bylaws, minutes of board  
 119.4 meetings, and the names of the current board of directors of the affiliated nonprofit  
 119.5 building corporation;

119.6 (4) submit to the commissioner a copy of its annual audit by December 31 of each  
 119.7 year; and

119.8 (5) comply with government data practices law under chapter 13.

119.9 (c) An affiliated nonprofit building corporation must not serve as the leasing agent  
 119.10 for property or facilities it does not own. A charter school that leases a facility from an  
 119.11 affiliated nonprofit building corporation that does not own the leased facility is ineligible  
 119.12 to receive charter school lease aid. The state is immune from liability resulting from a  
 119.13 contract between a charter school and an affiliated nonprofit building corporation.

119.14 ~~(d) Once an affiliated nonprofit building corporation is incorporated under this~~  
 119.15 ~~subdivision, The board of directors of the charter school must ensure the affiliated~~  
 119.16 ~~nonprofit building corporation complies with all applicable legal requirements. The charter~~  
 119.17 ~~school's authorizer of the school must oversee the efforts of the school's board of directors~~  
 119.18 ~~of the charter school to ensure the affiliated nonprofit building corporation complies~~  
 119.19 ~~with all legal requirements governing the affiliated nonprofit building corporation legal~~  
 119.20 ~~compliance of the affiliated building corporation. A school's board of directors that~~  
 119.21 ~~fails to ensure the affiliated nonprofit building corporation's compliance violates its~~  
 119.22 ~~responsibilities and an authorizer must factor the consider that failure into the authorizer's~~  
 119.23 ~~evaluation of when evaluating the charter school.~~

119.24 Subd. 4. **Positive review and comment.** If the amount of a purchase agreement or  
 119.25 construction contract exceeds the review and comment threshold, a charter school or its  
 119.26 affiliated nonprofit building corporation must receive a positive review and comment from  
 119.27 the commissioner before initiating any purchase agreement or construction contract ~~that~~  
 119.28 ~~requires an expenditure in excess of the threshold specified in section 123B.71, subdivision~~  
 119.29 ~~8, for school districts that do not have a capital loan outstanding. Without a positive~~  
 119.30 review and comment from the commissioner, a purchase agreement or construction  
 119.31 contract finalized before a positive review and comment under this subdivision is null and  
 119.32 void. For purposes of this subdivision, "review and comment threshold" means the dollar  
 119.33 amount specified in section 123B.71, subdivision 8, applicable to a school entity that is  
 119.34 not a recipient of a maximum effort capital loan.

119.35 Sec. 11. Minnesota Statutes 2015 Supplement, section 124E.15, is amended to read:

120.1 **124E.15 TRANSPORTATION.**

120.2 (a) A charter school must comply with all pupil transportation requirements in  
 120.3 section 123B.88, subdivision 1. A charter school must not require parents to surrender  
 120.4 their rights to pupil transportation under section 123B.88, subdivision 2.

120.5 ~~(b) A charter school after its first fiscal year of operation by March 1 of each fiscal~~  
 120.6 ~~year and A charter school by July 1 of its first fiscal year of operation~~ must notify the  
 120.7 district in which the school is located and the ~~Department of Education~~ commissioner by  
 120.8 July 1 of its first fiscal year of operation if it will provide its own transportation or use the  
 120.9 transportation services of the district in which it is located ~~for the fiscal year.~~ For each  
 120.10 subsequent year of operation, a charter school must give that district and the commissioner  
 120.11 notice by March 1 for the following fiscal year.

120.12 (c) If a charter school elects to provide transportation for pupils, the charter school  
 120.13 must provide the transportation ~~must be provided by the charter school~~ within the district  
 120.14 in which the charter school is located. The state must pay transportation aid to the charter  
 120.15 school according to section 124E.23.

120.16 (d) For pupils who reside outside the district in which the charter school is located,  
 120.17 the charter school is not required to provide or pay for transportation between the pupil's  
 120.18 residence and the border of the district in which the charter school is located. The charter  
 120.19 school may reimburse a parent ~~may be reimbursed by the charter school~~ for costs of  
 120.20 transportation from the pupil's residence to the border of the district in which the charter  
 120.21 school is located if the pupil is from a family whose income is at or below the poverty  
 120.22 level, as determined by the federal government. The reimbursement may not exceed  
 120.23 the pupil's actual cost of transportation or 15 cents per mile traveled, whichever is less.  
 120.24 Reimbursement may not be paid for more than 250 miles per week.

120.25 ~~At the time a pupil enrolls in a charter school, the charter school must provide the~~  
 120.26 ~~parent or guardian with information regarding the transportation.~~

120.27 ~~(d)~~ (e) If a charter school does not elect to provide transportation, the district in which  
 120.28 the school is located must provide transportation for pupils enrolled at the school ~~must~~  
 120.29 ~~be provided by the district in which the school is located,~~ according to sections 123B.88,  
 120.30 subdivision 6, governing transporting nonresident pupils, and 124D.03, subdivision 8, for  
 120.31 a pupil residing in the same district in which the charter school is located. The district in  
 120.32 which the charter school is located may provide transportation ~~may be provided by the~~  
 120.33 ~~district in which the school is located,~~ according to sections 123B.88, subdivision 6, and  
 120.34 124D.03, subdivision 8, governing open enrollment transportation, for a pupil residing  
 120.35 in a different district. If the district provides the transportation, the scheduling of routes,  
 120.36 manner and method of transportation, control and discipline of the pupils, and any other



121.1 matter relating to the transportation of pupils under this paragraph ~~shall be~~ is within the  
121.2 sole discretion, control, and management of the district.

121.3 (f) The charter school must provide the parent or guardian with information about  
121.4 transportation when a pupil enrolls.

121.5 Sec. 12. Minnesota Statutes 2015 Supplement, section 124E.16, is amended to read:

121.6 **124E.16 REPORTS.**

121.7 Subdivision 1. **Audit report.** (a) A charter school is subject to the same financial  
121.8 audits, audit procedures, and audit requirements as a district, except as required under  
121.9 this subdivision. Audits must be conducted in compliance with generally accepted  
121.10 governmental auditing standards, the federal Single Audit Act, if applicable, and section  
121.11 6.65 governing auditing procedures. A charter school is subject to and must comply  
121.12 with sections 15.054; 118A.01; 118A.02; 118A.03; 118A.04; 118A.05; 118A.06;  
121.13 governing government property and financial investments; and sections 471.38; 471.391;  
121.14 471.392; and 471.425 governing municipal contracting. The audit must comply with the  
121.15 requirements of sections 123B.75 to 123B.83 governing school district finance, except  
121.16 ~~to the extent deviations are necessary because of the program at the school~~ when the  
121.17 commissioner and authorizer approve a deviation made necessary because of school  
121.18 program finances. ~~Deviations must be approved by the commissioner and authorizer.~~ The  
121.19 ~~Department of Education~~ commissioner, state auditor, legislative auditor, or authorizer  
121.20 may conduct financial, program, or compliance audits. A charter school ~~determined to be~~  
121.21 in statutory operating debt under sections 123B.81 to 123B.83 must submit a plan under  
121.22 section 123B.81, subdivision 4.

121.23 (b) The charter school must submit an audit report to the commissioner and its  
121.24 authorizer annually by December 31 ~~each year~~.

121.25 (c) The charter school, with the assistance of the auditor conducting the audit,  
121.26 must include with the report, as supplemental information; (1) a copy of management  
121.27 agreements with a charter management organization or an educational management  
121.28 organization and (2) service agreements or contracts over the lesser of \$100,000 or ten  
121.29 percent of the school's most recent annual audited expenditures. The agreements must  
121.30 detail the terms of the agreement, including the services provided and the annual costs for  
121.31 those services. If the entity that provides the professional services to the charter school is  
121.32 exempt from taxation under section 501 of the Internal Revenue Code of 1986, that entity  
121.33 must file with the commissioner by February 15 a copy of the annual return required under  
121.34 section 6033 of the Internal Revenue Code of 1986.

122.1 (d) A charter school independent audit report shall include audited financial data  
 122.2 of an affiliated building corporation under section 124E.13, subdivision 3, or other  
 122.3 component unit.

122.4 (e) If the audit report finds that a material weakness exists in the financial reporting  
 122.5 systems of a charter school, the charter school must submit a written report to the  
 122.6 commissioner explaining how the charter school will resolve that material weakness will  
 122.7 ~~be resolved~~. An auditor, as a condition of providing financial services to a charter school,  
 122.8 must agree to make available information about a charter school's financial audit to the  
 122.9 commissioner and authorizer upon request.

122.10 Subd. 2. **Annual public reports.** (a) A charter school must publish an annual report  
 122.11 approved by the board of directors. The annual report must at least include information  
 122.12 on school enrollment, student attrition, governance and management, staffing, finances,  
 122.13 academic performance, innovative practices and implementation, and future plans. A  
 122.14 charter school may combine this report with the reporting required under section 120B.11  
 122.15 governing the world's best workforce. A charter school must post the annual report on  
 122.16 the school's official Web site. A charter school also must ~~also~~ distribute the annual report  
 122.17 by publication, mail, or electronic means to its authorizer, school employees, and parents  
 122.18 and legal guardians of students enrolled in the charter school. The reports are public  
 122.19 data under chapter 13.

122.20 (b) The commissioner shall establish specifications for an authorizer's annual public  
 122.21 report that is part of the system to evaluate authorizer performance under section 124E.05,  
 122.22 subdivision 5. The report shall at least include key indicators of school academic,  
 122.23 operational, and financial performance.

122.24 Sec. 13. Minnesota Statutes 2015 Supplement, section 124E.17, is amended to read:

122.25 **124E.17 DISSEMINATION OF INFORMATION.**

122.26 Subdivision 1. **Charter school information.** (a) ~~Authorizers and the department~~  
 122.27 ~~must disseminate information to the public on how to form and operate a charter school.~~  
 122.28 Charter schools must disseminate information about how to use the charter school  
 122.29 ~~offerings of a charter school~~ to targeted groups, among others. Targeted groups include  
 122.30 low-income families and communities, students of color, and students who are at risk  
 122.31 of academic failure.

122.32 (b) Authorizers and the commissioner must disseminate information to the public  
 122.33 on how to form and operate a charter school. Authorizers, operators, and the ~~department~~  
 122.34 commissioner also may disseminate information to interested stakeholders about the  
 122.35 successful best practices in teaching and learning demonstrated by charter schools.

123.1 Subd. 2. **Financial information.** Upon request of an individual, the charter school  
123.2 must also make available in a timely fashion financial statements showing all operations  
123.3 and transactions affecting the school's income, surplus, and deficit during the school's  
123.4 last annual accounting period; and a balance sheet summarizing assets and liabilities  
123.5 on the closing date of the accounting period. A charter school also must include that  
123.6 same information about its authorizer in other school materials that it makes available  
123.7 to the public.

123.8 Sec. 14. Minnesota Statutes 2015 Supplement, section 124E.22, is amended to read:

123.9 **124E.22 BUILDING LEASE AID.**

123.10 (a) When a charter school finds it economically advantageous to rent or lease a  
123.11 building or land for any instructional ~~purposes~~ purpose and it determines that the total  
123.12 operating capital revenue under section 126C.10, subdivision 13, is insufficient for this  
123.13 purpose, it may apply to the commissioner for building lease aid ~~for this purpose~~. The  
123.14 commissioner must review and either approve or deny a lease aid application using the  
123.15 following criteria:

123.16 (1) the reasonableness of the price based on current market values;

123.17 (2) the extent to which the lease conforms to applicable state laws and rules; and

123.18 (3) the appropriateness of the proposed lease in the context of the space needs and  
123.19 financial circumstances of the charter school. The commissioner must approve aid only  
123.20 for a facility lease that has (i) a sum certain annual cost and (ii) a closure clause to relieve  
123.21 the charter school of its lease obligations at the time the charter contract is terminated or  
123.22 not renewed~~;~~. The closure clause under item (ii) must not be constructed or construed to  
123.23 relieve the charter school of its lease obligations in effect before the charter contract is  
123.24 terminated or not renewed.

123.25 (b) A charter school must not use the building lease aid it receives for custodial,  
123.26 maintenance service, utility, or other operating costs.

123.27 ~~(b)~~ (c) The amount of annual building lease aid for a charter school shall not exceed  
123.28 the lesser of (1) 90 percent of the approved cost or (2) the product of the pupil units served  
123.29 for the current school year times \$1,314.

123.30 Sec. 15. Minnesota Statutes 2015 Supplement, section 124E.24, is amended to read:

123.31 **124E.24 OTHER AID, GRANTS, AND REVENUE.**

123.32 (a) A charter school is eligible to receive other aids, grants, and revenue according to  
123.33 chapters 120A to 129C, as though it were a district.

124.1 (b) Notwithstanding paragraph (a), a charter school may not receive aid, a grant, or  
 124.2 revenue if a levy is required to obtain the money, or if the aid, grant, or revenue replaces levy  
 124.3 revenue that is not general education revenue, except as otherwise provided in this chapter.

124.4 (c) Federal aid received by the state must be paid to the school, if it qualifies for  
 124.5 the aid, as though it were a school district.

124.6 (d) A charter school may receive money from any source for capital facilities needs.  
 124.7 In the year-end report to the commissioner of education, the charter school shall report the  
 124.8 total amount of funds it received from grants and other outside sources.

124.9 Sec. 16. Minnesota Statutes 2015 Supplement, section 124E.25, is amended to read:

124.10 **124E.25 PAYMENT OF AIDS TO CHARTER SCHOOLS.**

124.11 Subdivision 1. **Payments.** ~~(a)~~ Notwithstanding section 127A.45, subdivision 3, if the  
 124.12 current year aid payment percentage under section 127A.45, subdivision 2, paragraph (d), is  
 124.13 90 or greater, aid payments for the current fiscal year to a charter school shall be of an equal  
 124.14 amount on each of the 24 payment dates. Notwithstanding section 127A.45, subdivision  
 124.15 3, if the current year aid payment percentage under section 127A.45, subdivision 2,  
 124.16 paragraph (d), is less than 90, aid payments for the current fiscal year to a charter school  
 124.17 shall be of an equal amount on each of the 16 payment dates in July through February.

124.18 **Subd. 1a. School closures; payments.** ~~(b)~~ ~~(a)~~ Notwithstanding ~~paragraph (a)~~  
 124.19 subdivision 1 and section 127A.45, for a charter school ceasing operation on or ~~prior~~  
 124.20 ~~to~~ before June 30 of a school year, for the payment periods occurring after the school  
 124.21 ceases serving students, the commissioner shall withhold the estimated state aid owed  
 124.22 the school. The charter school board of directors and authorizer must submit to the  
 124.23 commissioner a closure plan under chapter 308A or 317A, and financial information about  
 124.24 the school's liabilities and assets. After receiving the closure plan, financial information,  
 124.25 an audit of pupil counts, ~~documentation of~~ and documented lease expenditures; from  
 124.26 the charter school and monitoring of special education expenditures, the commissioner  
 124.27 may release cash withheld and may continue regular payments up to the current year  
 124.28 payment percentages if further amounts are owed. If, based on audits and monitoring,  
 124.29 the school received state aid in excess of the amount owed, the commissioner shall retain  
 124.30 aid withheld sufficient to eliminate the aid overpayment.

124.31 (b) For a charter school ceasing operations ~~prior to~~, before or at the end of; a  
 124.32 school year, notwithstanding section 127A.45, subdivision 3, the commissioner may  
 124.33 make preliminary final payments ~~may be made~~ after receiving the school submits the  
 124.34 closure plan, an audit of pupil counts, ~~monitoring of special education expenditures;~~  
 124.35 ~~documentation of~~ documented lease expenditures, and school submission of Uniform

125.1 Financial Accounting and Reporting Standards (UFARS) financial data and the  
125.2 commissioner monitors special education expenditures for the final year of operation. The  
125.3 commissioner may make the final payment ~~may be made upon receipt of~~ after receiving  
125.4 audited financial statements under section 123B.77, subdivision 3.

125.5 (c) Notwithstanding sections 317A.701 to 317A.791, ~~upon closure of~~ after closing  
125.6 a charter school and ~~satisfaction of~~ satisfying creditors, remaining cash and investment  
125.7 balances ~~remaining~~ shall be returned by the commissioner to the state general fund.

125.8 Subd. 2. **Requirements.** (a) ~~In order~~ To receive state aid payments under this  
125.9 section, a charter school in its first three years of operation must submit to the commissioner  
125.10 a school calendar in the form and manner requested by the ~~department~~ commissioner and  
125.11 a quarterly report ~~to the Department of Education.~~ The quarterly report must list each  
125.12 student by grade, show the student's start and end dates, if any applicable, ~~with the charter~~  
125.13 ~~school,~~ and, for any student participating in a learning year program, the report must list the  
125.14 hours and times of learning year activities. The charter school must submit the report must  
125.15 ~~be submitted to the commissioner not more than two weeks after the end of the calendar~~  
125.16 ~~quarter to the department.~~ The ~~department~~ commissioner must develop a Web-based  
125.17 reporting form for charter schools to use when submitting quarterly enrollment reports.

125.18 (b) To receive state aid payments under this section, a charter school in its fourth and  
125.19 subsequent year of operation must submit a school calendar and enrollment information  
125.20 to the ~~department~~ commissioner in the form and manner requested by the ~~department~~  
125.21 commissioner.

125.22 ~~(b)~~ (c) A charter school must have a valid, signed contract under section 124E.10,  
125.23 subdivision 1, on file ~~at~~ with the ~~Department of Education~~ commissioner at least 15 days  
125.24 ~~prior to~~ before the date of first payment of state aid for the fiscal year.

125.25 ~~(e)~~ (d) The commissioner shall compute state aid entitlements ~~shall be computed~~  
125.26 for a charter school only for the portion of a school year for which it has a valid, signed  
125.27 contract under section 124E.10, subdivision 1.

125.28 Subd. 3. **Aid reductions.** (a) The commissioner may reduce a charter school's  
125.29 state aid under section 127A.42 or 127A.43 if the charter school board fails to correct a  
125.30 violation under this chapter.

125.31 (b) The commissioner may reduce a charter school's state aid by an amount not  
125.32 to exceed 60 percent of the charter school's basic revenue for the period of time ~~that a~~  
125.33 ~~violation of law occurs~~ was violated.

125.34 Subd. 4. **Aid withholding.** (a) If a charter school fails to comply with the  
125.35 commissioner's directive to return, for cause, federal or state funds administered by the

126.1 department, the commissioner may withhold an amount of state aid sufficient to satisfy  
126.2 the directive.

126.3 (b) ~~If, within the timeline under section 471.425, after receiving an undisputed~~  
126.4 invoice for goods and services, a charter school fails to pay the state of Minnesota, a school  
126.5 district, intermediate school district, or service cooperative ~~after receiving an undisputed~~  
126.6 ~~invoice for goods and services~~ within the timeline under section 471.425, the commissioner  
126.7 may withhold an amount of state aid sufficient to satisfy the claim and shall distribute the  
126.8 withheld aid to the interested state agency, school district, intermediate school district, or  
126.9 service cooperative. An interested state agency, school district, intermediate school district,  
126.10 or education cooperative shall notify the commissioner when a charter school fails to pay  
126.11 an undisputed invoice within 75 business days of when it received the original invoice.

126.12 Sec. 17. Minnesota Statutes 2015 Supplement, section 124E.26, is amended to read:

126.13 **124E.26 USE OF STATE MONEY.**

126.14 ~~Money received from the state may not be used~~ A charter school may not use state  
126.15 money to purchase land or buildings. The charter school may own land and buildings if  
126.16 obtained through nonstate sources.

126.17 Sec. 18. **SUPERSEDING ACTS.**

126.18 Any amendments or repeals enacted in the 2016 session of the legislature to sections  
126.19 also amended or repealed in this act supersede the amendments in this act regardless  
126.20 of order of enactment."

126.21 Delete the title and insert:

126.22 "A bill for an act  
126.23 relating to education; providing for early childhood and prekindergarten through  
126.24 grade 12 education, including general education, education excellence, charter  
126.25 schools, special education, facilities and technology, and self-sufficiency and  
126.26 lifelong learning; teachers; early childhood; charter school recodification;  
126.27 amending Minnesota Statutes 2014, sections 120B.11, as amended; 120B.12,  
126.28 subdivision 3; 120B.15; 120B.30, by adding a subdivision; 120B.31, subdivision  
126.29 5, by adding a subdivision; 120B.35, subdivisions 1, 2, 3, 4; 120B.36, as  
126.30 amended; 122A.09, as amended; 122A.16; 122A.18, as amended; 122A.21, as  
126.31 amended; 122A.245, as amended; 122A.26, subdivision 2; 122A.31, subdivision  
126.32 3; 122A.4144; 122A.416; 122A.72, subdivision 5; 122A.74, subdivision 1;  
126.33 123A.24, subdivision 2; 123B.147, subdivision 3; 123B.52, subdivision 1;  
126.34 123B.571, subdivision 2; 123B.60, subdivision 1; 123B.71, subdivision 8;  
126.35 123B.79, subdivisions 5, 8, 9; 124D.03, subdivision 5a; 124D.09, subdivision  
126.36 10; 124D.15, subdivisions 3a, 15; 124D.52, subdivisions 1, 2; 124D.861, as  
126.37 amended; 125A.091, subdivision 11; 125A.0942, subdivision 4; 126C.40,  
126.38 subdivision 5; 126C.63, subdivision 7; 127A.095; Minnesota Statutes 2015  
126.39 Supplement, sections 120B.125; 120B.301; 122A.23; 122A.30; 122A.40,  
126.40 subdivision 8; 122A.41, subdivision 5; 122A.414, subdivisions 1, 2, 2b, 3;  
126.41 122A.60, subdivisions 1, 4; 123B.53, subdivision 1; 123B.595, subdivisions 4,  
126.42 7, 8, 9, 10, 11, by adding a subdivision; 124D.165, subdivision 2; 124D.231,

127.1 subdivision 2; 124D.73, subdivision 4; 124E.01; 124E.02; 124E.03; 124E.05;  
127.2 124E.06; 124E.07; 124E.08; 124E.10; 124E.12; 124E.13; 124E.15; 124E.16;  
127.3 124E.17; 124E.22; 124E.24; 124E.25; 124E.26; 125A.08; 125A.0942,  
127.4 subdivision 3; 125A.63, subdivision 4; 126C.48, subdivision 8; 127A.05,  
127.5 subdivision 6; 136A.1791, subdivisions 1, 3; proposing coding for new law in  
127.6 Minnesota Statutes, chapter 123B; repealing Minnesota Statutes 2014, sections  
127.7 120B.299, subdivision 5; 120B.35, subdivision 4; 122A.245, subdivision  
127.8 8; 122A.413, subdivision 3; 122A.43, subdivision 6; 123B.06; 123B.60,  
127.9 subdivision 2; 123B.79, subdivisions 2, 6; 127A.51; Minnesota Statutes 2015  
127.10 Supplement, section 122A.413, subdivisions 1, 2."