

ONE HUNDRED FIRST DAY

St. Paul, Minnesota, Tuesday, May 3, 2022

The Senate met at 11:00 a.m. and was called to order by the President.

CALL OF THE SENATE

Senator Putnam imposed a call of the Senate. The Sergeant at Arms was instructed to bring in the absent members.

Prayer was offered by the Chaplain, Rev. Alfred Babington-Johnson.

The members of the Senate gave the pledge of allegiance to the flag of the United States of America.

The roll was called, and the following Senators were present:

Abeler	Draheim	Ingebrigtsen	Marty	Rest
Anderson	Duckworth	Isaacson	Mathews	Rosen
Bakk	Dziedzic	Jasinski	McEwen	Ruud
Benson	Eaton	Johnson	Miller	Senjem
Bigham	Eichorn	Johnson Stewart	Murphy	Tomassoni
Carlson	Eken	Kent	Nelson	Torres Ray
Chamberlain	Fateh	Kiffmeyer	Newman	Utke
Champion	Frentz	Klein	Newton	Weber
Clausen	Gazelka	Koran	Osmek	Westrom
Coleman	Goggin	Kunesh	Pappas	Wiger
Cwodzinski	Hawj	Lang	Port	Wiklund
Dahms	Hoffman	Latz	Pratt	
Dibble	Housley	Limmer	Putnam	
Dornink	Howe	López Franzen	Rarick	

Pursuant to Rule 14.1, the President announced the following members intend to vote under Rule 40.7: Anderson, Cwodzinski, Draheim, Eaton, Fateh, Gazelka, Goggin, Kent, Lang, Limmer, Marty, McEwen, Newton, Tomassoni, Torres Ray, and Wiklund.

The President declared a quorum present.

The reading of the Journal was dispensed with and the Journal, as printed and corrected, was approved.

EXECUTIVE AND OFFICIAL COMMUNICATIONS

The following communications were received.

April 29, 2022

The Honorable David J. Osmek
President of the Senate

Dear President Osmek:

I have received, approved, signed, and deposited in the Office of the Secretary of State, Chapter 50, S.F. No. 2677.

Sincerely,
Tim Walz, Governor

May 3, 2022

The Honorable Melissa Hortman
Speaker of the House of Representatives

The Honorable David J. Osmek
President of the Senate

I have the honor to inform you that the following enrolled Acts of the 2022 Session of the State Legislature have been received from the Office of the Governor and are deposited in the Office of the Secretary of State for preservation, pursuant to the State Constitution, Article IV, Section 23:

S.F. No.	H.F. No.	Session Laws Chapter No.	Time and Date Approved 2022	Date Filed 2022
	2746	49	1:04 p.m. May 2	May 2
2677		50	7:49 p.m. April 29	April 29

Sincerely,
Steve Simon
Secretary of State

REPORTS OF COMMITTEES

Senator Miller moved that the Committee Report at the Desk be now adopted. The motion prevailed.

Senator Miller, from the Committee on Rules and Administration, to which was referred

H.F. No. 3872 for comparison with companion Senate File, reports the following House File was found not identical with companion Senate File as follows:

GENERAL ORDERS
H.F. No. S.F. No.
3872 3510

CONSENT CALENDAR
H.F. No. S.F. No.

CALENDAR
H.F. No. S.F. No.

Pursuant to Rule 45, the Committee on Rules and Administration recommends that H.F. No. 3872 be amended as follows:

Delete all the language after the enacting clause of H.F. No. 3872, the third engrossment; and insert the language after the enacting clause of S.F. No. 3510, the second engrossment; further, delete the title of H.F. No. 3872, the third engrossment; and insert the title of S.F. No. 3510, the second engrossment.

And when so amended H.F. No. 3872 will be identical to S.F. No. 3510, and further recommends that H.F. No. 3872 be given its second reading and substituted for S.F. No. 3510, and that the Senate File be indefinitely postponed.

Pursuant to Rule 45, this report was prepared and submitted by the Secretary of the Senate on behalf of the Committee on Rules and Administration. Amendments adopted. Report adopted.

SECOND READING OF HOUSE BILLS

H.F. No. 3872 was read the second time.

INTRODUCTION AND FIRST READING OF SENATE BILLS

The following bills were read the first time.

Senator Murphy introduced--

S.F. No. 4566: A bill for an act relating to state government; modifying the public employees insurance program; amending Minnesota Statutes 2020, section 43A.316, subdivisions 5, 7.

Referred to the Committee on State Government Finance and Policy and Elections.

Senator Benson introduced--

S.F. No. 4567: A bill for an act relating to taxes; modifying aids to local governments; using aid reduction for reimbursement.

Referred to the Committee on Taxes.

Senator Dornink introduced--

S.F. No. 4568: A bill for an act relating to local government; prohibiting the acceptance of a municipal ID for state or federal services; proposing coding for new law in Minnesota Statutes, chapter 415.

Referred to the Committee on Local Government Policy.

Senators Marty, Johnson Stewart, and Kent introduced--

S.F. No. 4569: A bill for an act relating to public safety; authorizing the use of automated traffic enforcement systems for certain speed violations; imposing a petty misdemeanor penalty; proposing coding for new law in Minnesota Statutes, chapter 169.

Referred to the Committee on Transportation Finance and Policy.

Senator Dornink introduced--

S.F. No. 4570: A bill for an act relating to public safety; establishing the crime of unauthorized possession of a catalytic converter; proposing coding for new law in Minnesota Statutes, chapter 609.

Referred to the Committee on Judiciary and Public Safety Finance and Policy.

Senator Jasinski introduced--

S.F. No. 4571: A bill for an act relating to capital investment; appropriating money for a veterans memorial in Steele County.

Referred to the Committee on Veterans and Military Affairs Finance and Policy.

MOTIONS AND RESOLUTIONS

Senator Dahms moved that the name of Senator Senjem be added as a co-author to S.F. No. 3711. The motion prevailed.

Senator McEwen moved that her name be stricken as chief author, shown as a co-author, and the name of Senator Osmek be added as chief author to S.F. No. 4458. The motion prevailed.

Senator Chamberlain introduced --

Senate Resolution No. 134: A Senate resolution recognizing May as Live More Screen Less Month.

Referred to the Committee on Rules and Administration.

SPECIAL ORDERS

Pursuant to Rule 26, Senator Miller, Chair of the Committee on Rules and Administration, designated the following bills a Special Orders Calendar to be heard immediately:

H.F. Nos. 3254, 3545, and 4300.

SPECIAL ORDER

H.F. No. 3254: A bill for an act relating to commerce; clarifying prohibited contract terms regarding choice of venue; amending Minnesota Statutes 2020, section 325E.37, subdivision 7.

H.F. No. 3254 was read the third time and placed on its final passage.

The question was taken on the passage of the bill.

The roll was called, and there were yeas 66 and nays 0, as follows:

Those who voted in the affirmative were:

Abeler	Duckworth	Isaacson	Mathews	Rosen
Anderson	Dziedzic	Jasinski	McEwen	Ruud
Bakk	Eaton	Johnson	Miller	Senjem
Benson	Eichorn	Johnson Stewart	Murphy	Tomassoni
Bigham	Eken	Kent	Nelson	Torres Ray
Carlson	Fateh	Kiffmeyer	Newman	Utke
Chamberlain	Frentz	Klein	Newton	Weber
Clausen	Gazelka	Koran	Osmek	Westrom
Coleman	Goggin	Kunesh	Pappas	Wiger
Cwodzinski	Hawj	Lang	Port	Wiklund
Dahms	Hoffman	Latz	Pratt	
Dibble	Housley	Limmer	Putnam	
Dornink	Howe	López Franzen	Rarick	
Draheim	Ingebrigtsen	Marty	Rest	

Pursuant to Rule 40, Senator Jasinski cast the affirmative vote on behalf of the following Senators: Anderson, Draheim, Gazelka, Goggin, Lang, Limmer, and Tomassoni.

Pursuant to Rule 40, Senator Hawj cast the affirmative vote on behalf of the following Senators: Cwodzinski, Eaton, Fateh, Kent, Marty, McEwen, Newton, Torres Ray, and Wiklund.

So the bill passed and its title was agreed to.

SPECIAL ORDER

H.F. No. 3545: A bill for an act relating to horse racing; providing for use of the breeders fund; amending Minnesota Statutes 2021 Supplement, section 240.131, subdivision 7.

H.F. No. 3545 was read the third time and placed on its final passage.

The question was taken on the passage of the bill.

The roll was called, and there were yeas 67 and nays 0, as follows:

Those who voted in the affirmative were:

Abeler	Draheim	Ingebrigtsen	Marty	Rest
Anderson	Duckworth	Isaacson	Mathews	Rosen
Bakk	Dziedzic	Jasinski	McEwen	Ruud
Benson	Eaton	Johnson	Miller	Senjem
Bigham	Eichorn	Johnson Stewart	Murphy	Tomassoni
Carlson	Eken	Kent	Nelson	Torres Ray
Chamberlain	Fateh	Kiffmeyer	Newman	Utke
Champion	Frentz	Klein	Newton	Weber
Clausen	Gazelka	Koran	Osmek	Westrom
Coleman	Goggin	Kunesh	Pappas	Wiger
Cwodzinski	Hawj	Lang	Port	Wiklund
Dahms	Hoffman	Latz	Pratt	
Dibble	Housley	Limmer	Putnam	
Dornink	Howe	López Franzen	Rarick	

Pursuant to Rule 40, Senator Jasinski cast the affirmative vote on behalf of the following Senators: Anderson, Draheim, Gazelka, Goggin, Lang, Limmer, and Tomassoni.

Pursuant to Rule 40, Senator Hawj cast the affirmative vote on behalf of the following Senators: Cwodzinski, Eaton, Fateh, Kent, Latz, Marty, McEwen, Newton, Torres Ray, and Wiklund.

So the bill passed and its title was agreed to.

SPECIAL ORDER

H.F. No. 4300: A bill for an act relating to education finance; modifying provisions for prekindergarten through grade 12 education including general education, education excellence, teachers, charter schools, special education, health and safety, facilities, nutrition and libraries, early childhood, community education and lifelong learning, and state agencies; making forecast adjustments to funding for general education, education excellence, special education, facilities, nutrition, early education, and community education and lifelong learning; requiring reports; authorizing rulemaking; appropriating money; amending Minnesota Statutes 2020, sections 13.32, subdivision 3; 119A.52; 120A.20, subdivision 1; 120A.22, subdivisions 7, 9; 120A.41; 120A.42; 120B.018, subdivision 6; 120B.021, subdivisions 1, 2, 3, 4; 120B.022, subdivision 1; 120B.024, subdivisions 1, 2; 120B.026; 120B.11, subdivisions 1, 1a, 2, 3; 120B.12; 120B.15; 120B.30, subdivisions 1, 1a; 120B.301; 120B.35, subdivision 3; 120B.36, subdivision 2; 121A.031, subdivisions 5, 6; 121A.17, subdivision 3; 121A.19; 121A.21; 121A.41, subdivisions 2, 10, by adding subdivisions; 121A.425; 121A.45, subdivision 1; 121A.46, subdivision 4, by adding a subdivision; 121A.47, subdivisions 2, 14; 121A.53, subdivision 1; 121A.55; 121A.61, subdivisions 1, 3, by adding a subdivision; 122A.06, subdivisions 4, 6; 122A.091, subdivision 5; 122A.14, by adding a subdivision; 122A.181, subdivision 5; 122A.183, subdivision 1; 122A.184, subdivision 1; 122A.185, subdivision 1; 122A.187, by adding a subdivision; 122A.31, subdivision 1; 122A.40, subdivisions 3, 5, 8; 122A.41, subdivisions 2, 5, by adding a subdivision; 122A.415, subdivision 4, by adding subdivisions; 122A.50; 122A.635; 122A.76; 123A.485, subdivision 2; 123B.04, subdivision 1; 123B.147, subdivision 3; 123B.195; 123B.44, subdivisions 1, 5, 6; 123B.595; 123B.86, subdivision 3; 124D.09, subdivisions 3, 9, 10, 12, 13; 124D.095, subdivisions 2, 3, 4, 7, 8, by adding subdivisions; 124D.1158, subdivisions 3, 4; 124D.119; 124D.128, subdivision 1; 124D.13, subdivisions 2, 3; 124D.141, subdivision 2; 124D.151, as amended; 124D.165, subdivisions 2, 3; 124D.2211; 124D.4531, subdivisions 1, 1a, 1b; 124D.531, subdivisions 1, 4; 124D.55; 124D.59, subdivisions 2, 2a; 124D.65, subdivision 5; 124D.68, subdivision 2; 124D.73, by adding a subdivision; 124D.74, subdivisions 1, 3, 4, by adding a subdivision; 124D.76; 124D.78; 124D.79, subdivision 2; 124D.791, subdivision 4; 124D.81, subdivisions 1, 2, 2a, 5, by adding a subdivision; 124D.83, subdivision 2, by adding a subdivision; 124D.861, subdivision 2; 124D.98, by adding a subdivision; 124E.02; 124E.03, subdivision 2, by adding a subdivision; 124E.05, subdivisions 4, 7; 124E.06, subdivisions 1, 4, 5; 124E.07, subdivision 3; 124E.11; 124E.13, subdivisions 1, 3; 124E.16, subdivision 1; 124E.25, subdivision 1a; 125A.03; 125A.08; 125A.094; 125A.0942, subdivisions 1, 2, 3; 125A.15; 125A.51; 125A.515, subdivision 3; 125A.71, subdivision 1; 125A.76, subdivision 2e; 126C.05, subdivision 19; 126C.10, subdivisions 2a, 4, 13, 13a, 14, 18a; 126C.15, subdivisions 1, 2; 126C.19, by adding a subdivision; 127A.353, subdivision 2; 127A.45, subdivisions 12a, 13; 134.31, subdivisions 1, 4a; 134.32, subdivision 4; 134.34, subdivision 1; 134.355, subdivisions 5, 6, 7; 144.4165; 179A.03, subdivision 19; Minnesota Statutes 2021 Supplement, sections 122A.70; 126C.05, subdivisions 1, 3; 126C.10, subdivisions 2d, 2e; 127A.353, subdivision 4; Laws 2021, First Special Session chapter

13, article 1, sections 9; 10, subdivisions 2, 3, 4, 5, 6, 7, 9, 11; article 2, section 4, subdivisions 2, 3, 4, 7, 12, 15, 22, 27; article 3, sections 7, subdivisions 3, 4, 5, 6, 7; 8, subdivision 2; article 5, section 3, subdivisions 2, 3, 4, 5; article 7, section 2, subdivisions 2, 3; article 8, section 3, subdivisions 2, 3, 4, 6; article 9, section 4, subdivisions 3, 4, 5, 6, 12; article 10, section 1, subdivisions 2, 5, 8, 9; article 11, sections 4, subdivision 2; 7, subdivision 1; proposing coding for new law in Minnesota Statutes, chapters 120B; 121A; 122A; 124D; 125A; 127A; repealing Minnesota Statutes 2020, sections 120B.35, subdivision 5; 124D.151, subdivision 5; 124D.4531, subdivision 3a; Minnesota Statutes 2021 Supplement, section 124D.151, subdivision 6.

Senator Chamberlain moved to amend H.F. No. 4300, as amended pursuant to Rule 45, adopted by the Senate April 28, 2022, as follows:

(The text of the amended House File is identical to S.F. No. 4113.)

Page 2, line 18, delete "or locally adopted"

The motion prevailed. So the amendment was adopted.

CALL OF THE SENATE

Senator López Franzen imposed a call of the Senate. The Sergeant at Arms was instructed to bring in the absent members.

Senator Isaacson moved to amend H.F. No. 4300, as amended pursuant to Rule 45, adopted by the Senate April 28, 2022, as follows:

(The text of the amended House File is identical to S.F. No. 4113.)

Page 8, after line 14, insert:

"Sec. 8. Minnesota Statutes 2020, section 125A.76, subdivision 2e, is amended to read:

Subd. 2e. **Cross subsidy reduction aid.** (a) A school district's annual cross subsidy reduction aid equals the school district's initial special education cross subsidy for the previous fiscal year times the cross subsidy aid factor for that fiscal year.

(b) The cross subsidy aid factor equals ~~2.6 percent for fiscal year 2020 and~~ 6.43 percent for fiscal year 2021 and fiscal year 2022 and 100 percent for fiscal year 2023 and later.

EFFECTIVE DATE. This section is effective for revenue for fiscal year 2023 and later.

Sec. 9. Minnesota Statutes 2020, section 127A.45, subdivision 13, is amended to read:

Subd. 13. **Aid payment percentage.** Except as provided in subdivisions 11, 12, 12a, and 14, each fiscal year, all education aids and credits in this chapter and chapters 120A, 120B, 121A, 122A, 123A, 123B, 124D, 124E, 125A, 125B, 126C, 134, and section 273.1392, shall be paid at the current year aid payment percentage of the estimated entitlement during the fiscal year of the entitlement. ~~For the purposes of this subdivision, a district's estimated entitlement for special education aid under section 125A.76 for fiscal year 2014 and later equals 97.4 percent of the district's entitlement for~~

~~the current fiscal year.~~ The final adjustment payment, according to subdivision 9, must be the amount of the actual entitlement, after adjustment for actual data, minus the payments made during the fiscal year of the entitlement.

EFFECTIVE DATE. This section is effective for revenue for fiscal year 2023 and later.

Sec. 10. Laws 2021, First Special Session chapter 13, article 5, section 3, subdivision 2, is amended to read:

Subd. 2. **Special education; regular.** For special education aid under Minnesota Statutes, section 125A.75:

	1,822,998,000		
\$	<u>1,748,169,000</u>	.....	2022
	1,945,533,000		
\$	<u>2,698,119,000</u>	.....	2023

The 2022 appropriation includes \$215,125,000 for 2021 and ~~\$1,607,873,000~~ \$1,533,044,000 for 2022.

The 2023 appropriation includes ~~\$226,342,000~~ \$215,808,000 for 2022 and ~~\$1,719,191,000~~ \$2,482,311,000 for 2023."

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

Pursuant to Rule 7.4, Senator Chamberlain questioned whether the Isaacson amendment was in order. The President ruled the amendment was out of order.

Senator Port moved to amend H.F. No. 4300, as amended pursuant to Rule 45, adopted by the Senate April 28, 2022, as follows:

(The text of the amended House File is identical to S.F. No. 4113.)

Page 7, after line 16, insert:

"Sec. 7. **[124D.901] STUDENT SUPPORT PERSONNEL AID.**

Subdivision 1. **Definitions.** For the purposes of this section, the following terms have the meanings given:

(1) "new position" means a student support services personnel full-time or part-time position not under contract by a school district, charter school, or cooperative unit at the start of the 2021-2022 school year; and

(2) "student support services personnel" means an individual licensed to serve as a school counselor, school psychologist, school social worker, school nurse, or chemical dependency counselor in Minnesota.

Subd. 2. **Purpose.** The purpose of student support personnel aid is to:

(1) address shortages of student support services personnel within Minnesota schools;

(2) decrease caseloads for existing student support services personnel to ensure effective services;

(3) ensure that students receive effective student support services and integrated and comprehensive services to improve prekindergarten through grade 12 academic, physical, social, and emotional outcomes supporting career and college readiness and effective school mental health services;

(4) ensure that student support services personnel serve within the scope and practice of their training and licensure;

(5) fully integrate learning supports, instruction, assessment, data-based decision making, and family and community engagement within a comprehensive approach that facilitates interdisciplinary collaboration; and

(6) improve student health, school safety, and school climate to support academic success and career and college readiness.

Subd. 3. **Aid eligibility and application.** A school district, charter school, intermediate school district, or other cooperative unit is eligible to apply for student support personnel aid under this section. The commissioner must prescribe the form and manner of the application, which must include a plan describing how the aid will be used.

Subd. 4. **Student support personnel aid.** (a) The initial student support personnel aid for a school district equals the greater of \$100 times the adjusted pupil units at the district for the current fiscal year or \$50,000. The initial student support personnel aid for a charter school equals \$100 times the adjusted pupil units at the charter school for the current fiscal year.

(b) The cooperative student support personnel aid for a school district that is a member of an intermediate school district or other cooperative unit that enrolls students equals \$6 times the adjusted pupil units at the district for the current fiscal year. If a district is a member of more than one cooperative unit that enrolls students, the revenue must be allocated among the cooperative units.

(c) Notwithstanding paragraphs (a) and (b), the student support personnel aid must not exceed the district or cooperative unit's actual expenditure according to the approved plan under subdivision 3.

Subd. 5. **Allowed uses; match requirements.** (a) Cooperative student support personnel aid must be transferred to the intermediate district or other cooperative unit of which the district is a member and used to hire new positions for student support services personnel at the intermediate district or cooperative unit.

(b) If a school district, charter school, or cooperative unit does not receive at least two applications and is not able to hire a new full-time equivalent position with student support personnel aid, the aid may be used for contracted services from individuals licensed to serve as a school counselor, school psychologist, school social worker, school nurse, or chemical dependency counselor in Minnesota.

Subd. 6. **Support personnel pipeline.** An account is established in the special revenue fund known as the "school support personnel pipeline account." Funds appropriated for the school support personnel pipeline program must be transferred to the school support personnel pipeline account in the special revenue fund. Money in the account is appropriated to the commissioner for developing a student support personnel workforce pipeline focused on workforce development strategies to increase providers of color and Indigenous providers, professional re-specialization, recruitment, and retention; to increase the number of student support personnel providing school-based services; and to provide a licensed school nurse position at the Department of Education.

Subd. 7. **Report required.** By February 1 following any fiscal year in which student support personnel aid was received, a school district, charter school, or cooperative unit must submit a written report to the commissioner indicating how the new position affected two or more of the following measures:

- (1) school climate;
- (2) student health;
- (3) attendance rates;
- (4) academic achievement;
- (5) career and college readiness; and
- (6) postsecondary completion rates.

EFFECTIVE DATE. This section is effective for revenue for fiscal year 2023 and later."

Page 8, after line 14, insert:

"Sec. 9. **[127A.20] COMPREHENSIVE SCHOOL MENTAL HEALTH SERVICES LEAD.**

Subdivision 1. **Lead position established.** The department must employ a lead to serve as a source of information and support for schools in addressing students' mental health needs and developing comprehensive school mental health systems.

Subd. 2. **Assistance to districts.** (a) The lead must assist schools in assessing the quality of their comprehensive school mental health systems and developing improvement plans to implement evidence-based mental health resources, tools, and practices in school districts throughout Minnesota.

(b) The comprehensive school mental health services lead must work with school districts to improve mental health infrastructure support by:

(1) developing guidance and sharing resources on improving the quality of comprehensive school mental health systems;

(2) developing and sharing resources on evidence-based strategies, behavioral interventions, and practices or techniques for addressing students' mental health needs, including implementing a comprehensive approach to suicide prevention;

(3) maintaining a list of local, state, and national mental health resources for school districts, including public and private funding opportunities, community-based prevention and intervention services, model policies, training for teachers and other district staff, and other resources for mental health education under section 120B.21;

(4) providing advice, upon request, to school districts on implementing trauma-informed and culturally responsive school-based programs that provide prevention or intervention services to students;

(5) posting resources on the Department of Education website that school districts may use to address students' mental health needs; and

(6) maintaining a comprehensive list of school district best practices to address students' mental health needs.

(c) The lead may report to the legislature as necessary regarding students' mental health needs, challenges in developing comprehensive school mental health services, successful strategies and outcomes, and recommendations for integrating mental health services and supports in schools.

Subd. 3. **Coordination with other agencies.** The comprehensive school mental health services lead must consult with the Regional Centers of Excellence, the Department of Health, the Department of Human Services, the Minnesota School Safety Center, and other federal, state, and local agencies as necessary to identify or develop information, training, and resources to help school districts support students' mental health needs.

EFFECTIVE DATE. This section is effective July 1, 2022."

Page 9, after line 23, insert:

"Sec. 11. **APPROPRIATION; CHILDREN'S SCHOOL-LINKED MENTAL HEALTH GRANTS.**

\$50,000,000 in fiscal year 2022 is appropriated from the general fund to the commissioner of education for transfer to human services for children's school-linked mental health services. This appropriation is onetime and is added to the base. At least 25 percent of the new funding shall be targeted to providers that can serve schools that have the highest percentage of special education students categorized as having an emotional and behavioral disorder (EBD) or high poverty. The commissioner shall ensure that grants are distributed to rural and urban counties. The commissioner shall require grantees to use all available third-party reimbursement sources as a condition of receipt of grant funds. The commissioner shall consult with school districts that have not received school-linked mental health grants but want to collaborate with a community mental health provider."

Page 10, after line 7, insert:

"Subd. 3. **Student support personnel pipeline.** (a) For the school support personnel pipeline program under section 124D.901:

§ 9,000,000 2023

(b) The base for fiscal year 2024 is \$1,500,000, and \$1,500,000 for fiscal year 2025.

Subd. 4. Student support personnel aid. (a) For aid to support schools in addressing students' social, emotional, and physical health under Minnesota Statutes, section 124D.901:

\$	<u>95,862,000</u>	<u>2023</u>
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(b) The 2023 appropriation includes \$95,862,000 for 2023. This is based on an entitlement of \$106,513,000.

(c) The base for fiscal year 2024 and later is \$106,336,000.

Subd. 5. Comprehensive school mental health services lead. (a) For the comprehensive school mental health services lead under Minnesota Statutes, section 127A.20:

\$	<u>0</u>	.....	<u>2022</u>
\$	<u>150,000</u>	.....	<u>2023</u>

(b) The base for fiscal year 2024 and thereafter is \$150,000."

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

Pursuant to Rule 7.4, Senator Chamberlain questioned whether the Port amendment was in order. The President ruled the amendment was out of order.

Senator Pappas moved to amend H.F. No. 4300, as amended pursuant to Rule 45, adopted by the Senate April 28, 2022, as follows:

(The text of the amended House File is identical to S.F. No. 4113.)

Page 7, after line 16, insert:

"Sec. 7. Minnesota Statutes 2020, section 124D.65, subdivision 5, is amended to read:

Subd. 5. **School district EL revenue.** (a) A district's English learner programs revenue equals the sum of:

(1) the product of ~~(1) \$704 times~~ (2) (i) \$1,000 and (ii) the greater of 20 or the adjusted average daily membership of eligible English learners enrolled in the district during the current fiscal year;

(2) \$250 times the English learner pupil units under section 126C.05, subdivision 17; and

(3) the district's English learner cross subsidy aid. A district's English learner cross subsidy aid under paragraph (b) equals:

(i) 25 percent of the district's English learner cross subsidy for fiscal year 2023;

(ii) 50 percent of the district's English learner cross subsidy for fiscal year 2024;

(iii) 75 percent of the district's English learner cross subsidy for fiscal year 2025; and

(iv) 100 percent of the district's English learner cross subsidy for fiscal years 2026 and later.

(b) A district's English learner cross subsidy aid equals the greater of zero or the difference between the district's expenditure for qualifying English learner services for the second previous year and the district's English learner revenue for the second previous year.

~~(b)~~ (c) A pupil ceases to generate state English learner aid in the school year following the school year in which the pupil attains the state cutoff score on a commissioner-provided assessment that measures the pupil's emerging academic English."

Page 8, after line 14, insert:

"Sec. 9. Minnesota Statutes 2020, section 126C.10, subdivision 4, is amended to read:

Subd. 4. **Basic skills revenue.** A school district's basic skills revenue equals the sum of:

(1) compensatory revenue under subdivision 3; ~~plus~~ and

(2) English learner revenue under section 124D.65, subdivision 5; ~~plus~~

~~(3) \$250 times the English learner pupil units under section 126C.05, subdivision 17."~~

Page 10, after line 7, insert:

"Sec. 12. **ADDITIONAL GENERAL EDUCATION AID; ENGLISH LEARNER AID; APPROPRIATION.**

\$47,570,000 in fiscal year 2023 is appropriated from the general fund to the Department of Education for additional English learner general education aid."

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

Pursuant to Rule 7.4, Senator Chamberlain questioned whether the Pappas amendment was in order.

RECESS

Senator Benson moved that the Senate do now recess subject to the call of the President. The motion prevailed.

After a brief recess, the President called the Senate to order.

The President resumed consideration on whether the Pappas amendment was in order under Rule 7.4.

The President ruled the Pappas amendment was out of order.

Senator Murphy moved to amend H.F. No. 4300, as amended pursuant to Rule 45, adopted by the Senate April 28, 2022, as follows:

(The text of the amended House File is identical to S.F. No. 4113.)

Page 8, after line 14, insert:

"Sec. 8. Minnesota Statutes 2021 Supplement, section 126C.10, subdivision 2, is amended to read:

Subd. 2. **Basic revenue.** (a) The basic revenue for each district equals the formula allowance times the adjusted pupil units for the school year.

(b) The formula allowance for fiscal year 2021 is \$6,567. The formula allowance for fiscal year 2022 is \$6,728. The formula allowance for fiscal year 2023 and later is \$6,863.

(c) For fiscal year 2024 and later, the formula allowance equals the formula allowance for fiscal year 2023 times the inflationary increase for that year.

(d) For purposes of this subdivision, "inflationary increase" means one plus the percentage change in the Consumer Price Index for urban consumers, as prepared by the United States Bureau of Labor Statistics, from the current fiscal year to fiscal year 2023."

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

Pursuant to Rule 7.4, Senator Duckworth questioned whether the Murphy amendment was in order. The President ruled the amendment was out of order.

Senator Wiger moved to amend H.F. No. 4300, as amended pursuant to Rule 45, adopted by the Senate April 28, 2022, as follows:

(The text of the amended House File is identical to S.F. No. 4113.)

Page 1, before line 12, insert:

"ARTICLE 1

PROMOTING LITERACY"

Page 1, delete section 1

Page 10, after line 7, insert:

"ARTICLE 2

GENERAL EDUCATION

Section 1. Minnesota Statutes 2020, section 124D.095, subdivision 2, is amended to read:

Subd. 2. **Definitions.** For purposes of this section, the following terms have the meanings given them.

(a) "Digital learning" is means learning facilitated by technology that offers students an element of control over the time, place, path, or pace of their learning and includes blended and online learning.

(b) "Blended learning" is means a form of digital learning that occurs when a student learns part time in a supervised physical setting and part time through digital delivery of instruction, or a student learns in a supervised physical setting where technology is used as a primary method to deliver instruction.

(c) "Online learning" is means a form of digital learning delivered by an approved online learning provider under paragraph (d).

(d) "Online learning provider" is means a school district, an intermediate school district, an organization of two or more school districts operating under a joint powers agreement, or a charter school located in Minnesota that provides online learning to students and is approved by the department to provide online learning courses.

(e) "Student" is means a Minnesota resident enrolled in a school under section 120A.22, subdivision 4, or in a Tribal contract or grant school authorized to receive aid under section 124D.83 in kindergarten through grade 12.

(f) "Online learning student" is means a student enrolled in an online learning course or program delivered by an online learning provider under paragraph (d).

(g) "Enrolling district" means the school district or charter school in which a student is enrolled under section 120A.22, subdivision 4, for purposes of compulsory attendance.

(h) "Supplemental online learning" means an online learning course taken in place of a course period at a local district school.

(i) "Full-time online learning provider" means an enrolling school authorized by the department to deliver comprehensive public education at any or all of the elementary, middle, or high school levels.

(j) "Online learning course syllabus" is means a written document that an online learning provider transmits to the enrolling district using a format prescribed by the commissioner to identify the state academic standards embedded in an online course, the course content outline, required course assessments, expectations for actual teacher contact time and other student-to-teacher communications, and the academic support available to the online learning student.

Sec. 2. Minnesota Statutes 2020, section 124D.095, subdivision 8, is amended to read:

Subd. 8. **Financial arrangements.** (a) For a student enrolled in an online learning course, the department must calculate average daily membership and make payments according to this subdivision.

(b) The initial online learning average daily membership equals 1/12 for each semester course or a proportionate amount for courses of different lengths. The adjusted online learning average daily membership equals the initial online learning average daily membership times .88.

(c) No online learning average daily membership shall be generated if: (1) the student does not complete the online learning course, or (2) the student is enrolled in online learning provided by the enrolling district.

(d) Online learning average daily membership under this subdivision for a student currently enrolled in a Minnesota public school or in a Tribal contract or grant school authorized to receive aid under section 124D.83 shall be used only for computing average daily membership according to section 126C.05, subdivision 19, paragraph (a), clause (2), and for computing online learning aid according to section 124D.096.

Sec. 3. Minnesota Statutes 2020, section 124D.4531, subdivision 1, is amended to read:

Subdivision 1. **Career and technical revenue.** (a) A district with a career and technical program approved under this section for the fiscal year in which the levy is certified is eligible for career and technical revenue equal to ~~35~~ 50 percent of approved expenditures in the fiscal year in which the levy is certified for the following:

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

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

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

(4) necessary travel between instructional sites by licensed career and technical education personnel and district-encumbered student travel between instructional and placement sites in state-approved work-based learning programs;

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

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

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

(8) specialized ~~vocational~~ career and technical education instructional supplies.

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

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

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

Sec. 4. Minnesota Statutes 2020, section 124D.4531, subdivision 1a, is amended to read:

~~Subd. 1a. **Career and technical levy.** (a) For fiscal year 2014 only, a district may levy an amount not more than the product of its career and technical revenue times the lesser of one or the ratio of its adjusted net tax capacity per adjusted pupil unit in the fiscal year in which the levy is certified to the career and technical revenue equalizing factor. The career and technical revenue equalizing factor for fiscal year 2014 equals \$7,612.~~

~~(b) For fiscal year 2015 and later, A district may levy an amount not more than the product of its career and technical revenue times the lesser of one or the ratio of its adjusted net tax capacity per adjusted pupil unit in the fiscal year in which the levy is certified to the career and technical revenue equalizing factor. The career and technical revenue equalizing factor for fiscal year 2015 and later equals \$7,612.~~

Sec. 5. Minnesota Statutes 2020, section 124D.4531, subdivision 1b, is amended to read:

~~Subd. 1b. **Career and technical aid.** For fiscal year 2014 and later, A district's career and technical aid equals its career and technical revenue less its career and technical levy. If the district levy is less than the permitted levy, the district's career and technical aid shall be reduced proportionately.~~

Sec. 6. **[124D.4532] CAREER AND TECHNICAL STUDENT TRANSPORTATION AID.**

A district that provides student travel between instructional and placement sites in state-approved work-based learning programs is eligible for state aid to reimburse the additional costs of transportation during the preceding fiscal year.

EFFECTIVE DATE. This section is effective for revenue for fiscal year 2024 and later.

Sec. 7. Minnesota Statutes 2020, section 124D.59, subdivision 2, is amended to read:

Subd. 2. **English learner.** (a) "English learner" means a pupil in kindergarten through grade 12; an early childhood special education student under Part B, section 619 of the Individuals with Disabilities Education Act, United States Code, title 20, section 1419; or a prekindergarten student enrolled in an approved voluntary prekindergarten program under section 124D.151 or a school readiness plus program who meets the requirements under subdivision 2a or the following requirements:

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

(2) the pupil is determined by a valid assessment measuring the pupil's English language proficiency and by developmentally appropriate measures, which might include observations, teacher

judgment, parent recommendations, or developmentally appropriate assessment instruments, to lack the necessary English skills to participate fully in academic classes taught in English.

(b) A pupil enrolled in a Minnesota public school in any grade 4 through 12 who in the previous school year took a commissioner-provided assessment measuring the pupil's emerging academic English, shall be counted as an English learner in calculating English learner pupil units under section 126C.05, subdivision 17, and shall generate state English learner aid under section 124D.65, subdivision 5, if the pupil scored below the state cutoff score or is otherwise counted as a nonproficient participant on the assessment measuring the pupil's emerging academic English, or, in the judgment of the pupil's classroom teachers, consistent with section 124D.61, clause (1), the pupil is unable to demonstrate academic language proficiency in English, including oral academic language, sufficient to successfully and fully participate in the general core curriculum in the regular classroom.

(c) Notwithstanding paragraphs (a) and (b), a pupil in early childhood special education or prekindergarten under section 124D.151, through grade 12 shall not be counted as an English learner in calculating English learner pupil units under section 126C.05, subdivision 17, and shall not generate state English learner aid under section 124D.65, subdivision 5, if:

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

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

EFFECTIVE DATE. This section is effective for revenue for fiscal year 2023 and later.

Sec. 8. Minnesota Statutes 2020, section 124D.65, subdivision 5, is amended to read:

Subd. 5. **School district EL revenue.** (a) The English learner programs initial allowance equals \$704 for fiscal years 2021 and 2022. The English learner programs allowance equals \$755 for fiscal year 2023. The English learner programs initial allowance for fiscal year 2024 and later equals the product of \$755 times the ratio of the formula allowance under section 126C.10, subdivision 2, for the current fiscal year to the formula allowance under section 126C.10, subdivision 2, for fiscal year 2023.

(b) The English learner programs concentration allowance equals \$250 for fiscal years 2021 and 2022. The English learner programs concentration allowance equals \$536 for fiscal year 2023. The English learner programs concentration allowance for fiscal year 2024 and later equals the product of \$536 times the ratio of the formula allowance under section 126C.10, subdivision 2, for the current fiscal year to the formula allowance under section 126C.10, subdivision 2, for fiscal year 2023.

~~(a)~~ (c) A district's English learner programs initial revenue equals the product of (1) \$704 the English learner programs initial allowance times (2) the greater of 20 or the adjusted average daily membership of eligible English learners enrolled in the district during the current fiscal year.

(d) A district's English learner programs concentration revenue equals the product of the English learner programs concentration allowance times the English learner pupil units under section 126C.05, subdivision 17.

(e) A district's English learner programs revenue equals the sum of the initial revenue under paragraph (c) and the concentration revenue under paragraph (d).

~~(b)~~ (f) A pupil ceases to generate state English learner aid in the school year following the school year in which the pupil attains the state cutoff score on a commissioner-provided assessment that measures the pupil's emerging academic English.

EFFECTIVE DATE. This section is effective for revenue for fiscal year 2023 and later.

Sec. 9. Minnesota Statutes 2020, section 124D.68, subdivision 2, is amended to read:

Subd. 2. **Eligible pupils.** (a) A pupil under the age of 21 or who meets the requirements of section 120A.20, subdivision 1, paragraph (c), is eligible to participate in the graduation incentives program, if the pupil:

(1) performs substantially below the performance level for pupils of the same age in a locally determined achievement test;

(2) is behind in satisfactorily completing coursework or obtaining credits for graduation;

(3) is pregnant or is a parent;

(4) has been assessed as chemically dependent;

(5) has been excluded or expelled according to sections 121A.40 to 121A.56;

~~(6) has been referred by a school district for enrollment in an eligible program or a program pursuant to section 124D.69;~~

~~(7)~~ (6) is a victim of physical or sexual abuse;

~~(8)~~ (7) has experienced mental health problems;

~~(9)~~ (8) has experienced homelessness sometime within six months before requesting a transfer to an eligible program;

~~(10)~~ (9) speaks English as a second language or is an English learner;

~~(11)~~ (10) has withdrawn from school or has been chronically truant; or

~~(12)~~ (11) is being treated in a hospital in the seven-county metropolitan area for cancer or other life threatening illness or is the sibling of an eligible pupil who is being currently treated, and resides with the pupil's family at least 60 miles beyond the outside boundary of the seven-county metropolitan area.

(b) A pupil otherwise qualifying under paragraph (a) who is at least 21 years of age and not yet 22 years of age, and is an English learner with an interrupted formal education according to section

124D.59, subdivision 2a, is eligible to participate in the graduation incentives program under section 124D.68 and in concurrent enrollment courses offered under section 124D.09, subdivision 10, and is funded in the same manner as other pupils under this section.

Sec. 10. Minnesota Statutes 2020, section 126C.05, subdivision 17, is amended to read:

Subd. 17. **English learner pupil units.** (a) English learner pupil units for fiscal year ~~2004 and thereafter~~ 2022 and later shall be determined according to this subdivision.

(b) The English learner concentration percentage for a district equals the product of 100 times the ratio of:

(1) the number of eligible English learners in average daily membership enrolled in the district during the current fiscal year; to

(2) the number of pupils in average daily membership enrolled in the district.

(c) For fiscal year 2022, the English learner pupil units for each eligible English learner in average daily membership equals the lesser of one or the quotient obtained by dividing the English learner concentration percentage for the pupil's district of enrollment by 11.5. For fiscal year 2023 and later, the English learner pupil units for each eligible English learner in average daily membership equals the lesser of one or the quotient obtained by dividing the English learner concentration percentage for the pupil's district of enrollment by 16.8.

(d) English learner pupil units shall be counted by the district of enrollment.

(e) Notwithstanding paragraph (d), for the purposes of this subdivision, pupils enrolled in a cooperative or intermediate school district shall be counted by the district of residence.

(f) For the purposes of this subdivision, the terms defined in section 124D.59 have the same meaning.

EFFECTIVE DATE. This section is effective for revenue for fiscal year 2023 and later.

Sec. 11. Minnesota Statutes 2020, section 126C.05, subdivision 19, is amended to read:

Subd. 19. **Online learning students.** (a) The average daily membership for a public school pupil or a pupil enrolled in a school authorized to receive Tribal contract or grant aid under section 124D.83 generating online learning average daily membership according to section 124D.095, subdivision 8, paragraph (b), equals the sum of: (1) the ratio of the sum of the number of instructional hours the pupil is enrolled in a regular classroom setting at the enrolling school to the actual number of instructional hours in the school year at the enrolling school, plus (2) .12 times the initial online learning average daily membership according to section 124D.095, subdivision 8, paragraph (b).

(b) When the sum of the average daily membership under paragraph (a) and the adjusted online learning average daily membership under section 124D.095, subdivision 8, paragraph (b), exceeds the maximum allowed for the student under subdivision 8 or 15, as applicable, the average daily membership under paragraph (a) shall be reduced by the excess over the maximum, but shall not be reduced below .12. The adjusted online learning average daily membership according to section 124D.095, subdivision 8, paragraph (b), shall be reduced by any remaining excess over the maximum.

Sec. 12. Minnesota Statutes 2021 Supplement, section 126C.10, subdivision 2, is amended to read:

Subd. 2. **Basic revenue.** The basic revenue for each district equals the formula allowance times the adjusted pupil units for the school year. The formula allowance for fiscal year 2021 is \$6,567. The formula allowance for fiscal year 2022 is \$6,728. The formula allowance for fiscal year 2023 and later is ~~\$6,863~~ \$7,000.

EFFECTIVE DATE. This section is effective for revenue for fiscal year 2023 and later.

Sec. 13. Minnesota Statutes 2020, section 126C.10, subdivision 2a, is amended to read:

Subd. 2a. **Extended time revenue.** (a) The extended time allowance is \$5,117 for fiscal years 2022 and 2023. For fiscal year 2024 and later, the extended time allowance equals the product of \$5,117 times the ratio of the formula allowance under subdivision 2 for the current fiscal year to the formula allowance under subdivision 2 for fiscal year 2023.

~~(a)~~ (b) A school district's extended time revenue is equal to the product of ~~\$5,117~~ the extended time allowance and the sum of the adjusted pupil units of the district for each pupil in average daily membership in excess of 1.0 and less than 1.2 according to section 126C.05, subdivision 8.

~~(b)~~ (c) Extended time revenue for pupils placed in an on-site education program at the Prairie Lakes Education Center or the Lake Park School, located within the borders of Independent School District No. 347, Willmar, for instruction provided after the end of the preceding regular school year and before the beginning of the following regular school year equals membership hours divided by the minimum annual instructional hours in section 126C.05, subdivision 15, not to exceed 0.20, times the pupil unit weighting in section 126C.05, subdivision 1, times ~~\$5,117~~ the extended time allowance.

(d) A school district's summer residential care and treatment extended time revenue equals the product of the extended time allowance times the sum of the resident summer residential care and treatment extended time average daily membership, times the pupil unit weighting in section 126C.05, subdivision 1.

(e) Summer residential care and treatment extended time average daily membership for resident pupils placed in a residential program for care and treatment, excluding those in paragraph (b) for instruction after the end of the preceding regular school year and before the beginning of the following regular school year, equals membership hours divided by the minimum annual instructional hours in section 126C.05, subdivision 15, not to exceed 0.20.

(f) For fiscal year 2023 and later, the amount of extended time revenue calculated under this paragraph may not exceed \$1,000,000 for each fiscal year.

~~(e)~~ (g) A school district's extended time revenue may be used for extended day programs, extended week programs, summer school, vacation break academies such as spring break academies and summer term academies, and other programming authorized under the learning year program.

EFFECTIVE DATE. This section is effective for revenue for fiscal year 2023 and later.

Sec. 14. Minnesota Statutes 2021 Supplement, section 126C.10, subdivision 2e, is amended to read:

Subd. 2e. **Local optional revenue.** (a) For fiscal year 2021 and later, local optional revenue for a school district equals the sum of the district's first tier local optional revenue and second tier local optional revenue. A district's first tier local optional revenue equals ~~\$300~~ the first tier local optional revenue allowance times the adjusted pupil units of the district for that school year. A district's second tier local optional revenue equals ~~\$424~~ the second tier local optional revenue allowance times the adjusted pupil units of the district for that school year.

~~(b)~~ (b) The first tier local optional revenue allowance is \$300 for fiscal years 2022 and 2023. The first tier local optional revenue allowance for fiscal year 2024 and later equals the product of \$300 times the ratio of the formula allowance under subdivision 2 for the current fiscal year to the formula allowance under subdivision 2 for fiscal year 2023.

~~(c)~~ (c) The second tier local optional revenue allowance is \$424 for fiscal years 2022 and 2023. The second tier local optional revenue allowance for fiscal year 2024 and later equals the product of \$424 times the ratio of the formula allowance under subdivision 2 for the current fiscal year to the formula allowance under subdivision 2 for fiscal year 2023.

~~(b)~~ (d) For fiscal year 2021 and later, a district's local optional levy equals the sum of the first tier local optional levy and the second tier local optional levy.

~~(e)~~ (e) A district's first tier local optional levy equals the district's first tier local optional revenue times the lesser of one or the ratio of the district's referendum market value per resident pupil unit to \$880,000.

~~(d)~~ (f) For fiscal year 2022, a district's second tier local optional levy equals the district's second tier local optional revenue times the lesser of one or the ratio of the district's referendum market value per resident pupil unit to \$510,000. For fiscal year 2023, a district's second tier local optional levy equals the district's second tier local optional revenue times the lesser of one or the ratio of the district's referendum market value per resident pupil unit to \$548,842. For fiscal year 2024 and later, a district's second tier local optional levy equals the district's second tier local optional revenue times the lesser of one or the ratio of the district's referendum market value per resident pupil unit to \$510,000.

~~(e)~~ (g) The local optional levy must be spread on referendum market value. A district may levy less than the permitted amount.

~~(f)~~ (h) A district's local optional aid equals its local optional revenue minus its local optional levy. If a district's actual levy for first or second tier local optional revenue is less than its maximum levy limit for that tier, its aid must be proportionately reduced.

EFFECTIVE DATE. This section is effective for revenue for fiscal year 2023 and later.

Sec. 15. Minnesota Statutes 2020, section 126C.10, subdivision 4, is amended to read:

Subd. 4. **Basic skills revenue.** A school district's basic skills revenue equals the sum of:

- (1) compensatory revenue under subdivision 3; plus
- (2) English learner revenue under section 124D.65, subdivision 5; ~~plus, paragraph (e).~~
- ~~(3) \$250 times the English learner pupil units under section 126C.05, subdivision 17.~~

EFFECTIVE DATE. This section is effective for revenue for fiscal year 2023 and later.

Sec. 16. Minnesota Statutes 2020, section 126C.15, subdivision 1, is amended to read:

Subdivision 1. **Use of revenue.** The basic skills revenue under section 126C.10, subdivision 4, must be reserved and used to meet the educational needs of pupils who enroll under-prepared to learn and whose progress toward meeting state or local content or performance standards is below the level that is appropriate for learners of their age. Basic skills revenue may also be used for programs designed to prepare children and their families for entry into school whether the student first enrolls in kindergarten or first grade. Any of the following may be provided to meet these learners' needs:

- (1) direct instructional services under the assurance of mastery program according to section 124D.66;
- (2) remedial instruction in reading, language arts, mathematics, other content areas, or study skills to improve the achievement level of these learners;
- (3) additional teachers and teacher aides to provide more individualized instruction to these learners through individual tutoring, lower instructor-to-learner ratios, or team teaching;
- ~~(4) a longer school day or week during the regular school year or through a summer program that may be offered directly by the site or under a performance based contract with a community-based organization;~~
- (5) comprehensive and ongoing staff development consistent with district and site plans according to section 122A.60 and to implement plans under section 120B.12, subdivision 4a, for teachers, teacher aides, principals, and other personnel to improve their ability to identify the needs of these learners and provide appropriate remediation, intervention, accommodations, or modifications;
- (6) instructional materials, digital learning, and technology appropriate for meeting the individual needs of these learners;
- (7) programs to reduce truancy, encourage completion of high school, enhance self-concept, provide health services, provide nutrition services, provide a safe and secure learning environment, provide coordination for pupils receiving services from other governmental agencies, provide psychological services to determine the level of social, emotional, cognitive, and intellectual development, and provide counseling services, guidance services, and social work services;
- (8) bilingual programs, bicultural programs, and programs for English learners;
- ~~(9) all-day kindergarten;~~

~~(10)~~ (9) early education programs, parent-training programs, school readiness programs, ~~kindergarten~~ voluntary public prekindergarten programs for four-year-olds, voluntary home visits under section 124D.13, subdivision 4, and other outreach efforts designed to prepare children for kindergarten;

~~(11)~~ (10) extended school day and extended school year programs, including summer programs that may be offered directly by the site or under a performance-based contract with a community-based organization; and

~~(12)~~ (11) substantial parent involvement in developing and implementing remedial education or intervention plans for a learner, including learning contracts between the school, the learner, and the parent that establish achievement goals and responsibilities of the learner and the learner's parent or guardian.

EFFECTIVE DATE. This section is effective for revenue for fiscal year 2023 and later.

Sec. 17. Minnesota Statutes 2020, section 126C.15, subdivision 2, is amended to read:

Subd. 2. **Building allocation.** (a) A district or cooperative must allocate its compensatory revenue to each school building in the district or cooperative where the children who have generated the revenue are served unless the school district or cooperative has received permission under Laws 2005, First Special Session chapter 5, article 1, section 50, to allocate compensatory revenue according to student performance measures developed by the school board.

(b) Notwithstanding paragraph (a), a district or cooperative may allocate up to ~~50~~ 20 percent of the amount of compensatory revenue that the district receives to school sites according to a plan adopted by the school board. The money reallocated under this paragraph must be spent for the purposes listed in subdivision 1, but may be spent on students in any grade, including students attending school readiness or other prekindergarten programs.

(c) For the purposes of this section and section 126C.05, subdivision 3, "building" means education site as defined in section 123B.04, subdivision 1.

(d) Notwithstanding section 123A.26, subdivision 1, compensatory revenue generated by students served at a cooperative unit shall be paid to the cooperative unit.

(e) A district or cooperative with school building openings, school building closings, changes in attendance area boundaries, or other changes in programs or student demographics between the prior year and the current year may reallocate compensatory revenue among sites to reflect these changes. A district or cooperative must report to the department any adjustments it makes according to this paragraph and the department must use the adjusted compensatory revenue allocations in preparing the report required under section 123B.76, subdivision 3, paragraph (c).

EFFECTIVE DATE. This section is effective for revenue for fiscal year 2023 and later.

Sec. 18. Minnesota Statutes 2020, section 126C.44, is amended to read:

126C.44 SAFE SCHOOLS LEVY.

(a) Each district may make a levy on all taxable property located within the district for the purposes specified in this section. The maximum amount which may be levied for all costs under this section shall be equal to \$36 multiplied by the district's adjusted pupil units for the school year.

(b) The proceeds of the levy must be reserved and used for directly funding the following purposes or for reimbursing the cities and counties who contract with the district for the following purposes:

(1) to pay the costs incurred for the salaries, benefits, and transportation costs of peace officers and sheriffs for liaison in services in the district's schools;

(2) to pay the costs for a drug abuse prevention program as defined in section 609.101, subdivision 3, paragraph (e), in the elementary schools;

(3) to pay the costs for a gang resistance education training curriculum in the district's schools;

(4) to pay the costs for security in the district's schools and on school property;

(5) to pay the costs for other crime prevention, drug abuse, student and staff safety, voluntary opt-in suicide prevention tools, and violence prevention measures taken by the school district;

(6) to pay costs for licensed school counselors, licensed school nurses, licensed school social workers, licensed school psychologists, and licensed alcohol and chemical dependency counselors to help provide early responses to problems;

(7) to pay for facility security enhancements including laminated glass, public announcement systems, emergency communications devices, and equipment and facility modifications related to violence prevention and facility security;

(8) to pay for costs associated with improving the school climate; or

(9) to pay costs for colocating and collaborating with mental health professionals who are not district employees or contractors.

~~(b)~~ (c) For expenditures under paragraph ~~(a)~~ (b), clause (1), the district must initially attempt to contract for services to be provided by peace officers or sheriffs with the police department of each city or the sheriff's department of the county within the district containing the school receiving the services. If a local police department or a county sheriff's department does not wish to provide the necessary services, the district may contract for these services with any other police or sheriff's department located entirely or partially within the school district's boundaries.

~~(c)~~ (d) A school district that is a member of an intermediate school district may include in its authority under this section the costs associated with safe schools activities authorized under paragraph ~~(a)~~ (b) for intermediate school district programs. This authority must not exceed \$15 times the adjusted pupil units of the member districts. This authority is in addition to any other authority authorized under this section. Revenue raised under this paragraph must be transferred to the intermediate school district.

(e) A school district or charter school receiving revenue under this section must annually report safe schools expenditures to the commissioner in the form and manner specified by the commissioner.

The report must conform to uniform financial and reporting standards established for this purpose and provide a breakdown by functional area.

EFFECTIVE DATE. This section is effective for revenue for fiscal year 2023 and later.

Sec. 19. Minnesota Statutes 2020, section 127A.45, subdivision 12a, is amended to read:

Subd. 12a. **Forward shifted aid payments.** One hundred percent of the state aid in fiscal years 2003 and later received under ~~section~~ sections 124D.87 and 124D.4532 must be paid by the state to the recipient school district on August 30 of that year. The recipient school district must recognize this aid in the previous fiscal year.

Sec. 20. Laws 2021, First Special Session chapter 13, article 1, section 9, is amended to read:

Sec. 9. **ENGLISH LEARNER CROSS SUBSIDY REDUCTION AID.**

(a) Notwithstanding Minnesota Statutes, section 124D.65, English learner aid is increased by \$2,000,000 ~~per year~~ for fiscal years year 2022, 2023, 2024, and 2025. The commissioner must allocate the aid to each school district and charter school based on the school district's or charter school's proportionate share of English learner and concentration revenue under Minnesota Statutes, section 126C.10, subdivision 4, clauses (2) and (3), for the preceding fiscal year.

(b) Revenue under this section must be used and reserved as basic skills revenue according to Minnesota Statutes, section 126C.15.

Sec. 21. Laws 2021, First Special Session chapter 13, article 1, section 9, the effective date, is amended to read:

EFFECTIVE DATE. This section is effective for revenue in fiscal year 2022 ~~and expires at the end of fiscal year 2025~~.

Sec. 22. Laws 2021, First Special Session chapter 13, article 1, section 10, subdivision 2, is amended to read:

Subd. 2. **General education aid.** For general education aid under Minnesota Statutes, section 126C.13, subdivision 4:

	7,569,266,000		
\$	<u>7,484,917,000</u>	.....	2022
	7,804,527,000		
\$	<u>7,861,438,000</u>	.....	2023

The 2022 appropriation includes \$717,326,000 for 2021 and ~~\$6,851,940,000~~ \$6,767,591,000 for 2022.

The 2023 appropriation includes ~~\$734,520,000~~ \$725,148,000 for 2022 and ~~\$7,070,007,000~~ \$7,136,290,000 for 2023.

Sec. 23. Laws 2021, First Special Session chapter 13, article 1, section 10, subdivision 6, is amended to read:

Subd. 6. **Nonpublic pupil education aid.** For nonpublic pupil education aid under Minnesota Statutes, sections 123B.40 to 123B.43 and 123B.87:

	16,991,000		
\$	<u>17,224,000</u>	.....	2022
	17,450,000		
\$	<u>19,384,000</u>	.....	2023

The 2022 appropriation includes \$1,903,000 for 2021 and ~~\$15,088,000~~ \$15,321,000 for 2022.

The 2023 appropriation includes ~~\$1,676,000~~ \$1,702,000 for 2022 and ~~\$15,774,000~~ \$17,682,000 for 2023.

Sec. 24. Laws 2021, First Special Session chapter 13, article 1, section 10, subdivision 7, is amended to read:

Subd. 7. **Nonpublic pupil transportation.** For nonpublic pupil transportation aid under Minnesota Statutes, section 123B.92, subdivision 9:

	19,770,000		
\$	<u>19,143,000</u>	.....	2022
	19,906,000		
\$	<u>19,898,000</u>	.....	2023

The 2022 appropriation includes \$1,910,000 for 2021 and ~~\$17,860,000~~ \$17,233,000 for 2022.

The 2023 appropriation includes ~~\$1,984,000~~ \$1,914,000 for 2022 and ~~\$17,922,000~~ \$17,984,000 for 2023.

Sec. 25. Laws 2021, First Special Session chapter 13, article 1, section 10, subdivision 9, is amended to read:

Subd. 9. **Career and technical aid** For career and technical aid under Minnesota Statutes, section 124D.4531, subdivision 1b:

	2,668,000		
\$	<u>2,582,000</u>	.....	2022
	2,279,000		
\$	<u>2,553,000</u>	.....	2023

The 2022 appropriation includes \$323,000 for 2021 and ~~\$2,345,000~~ \$2,259,000 for 2022.

The 2023 appropriation includes ~~\$260,000~~ \$251,000 for 2022 and ~~\$2,019,000~~ \$2,302,000 for 2023.

Sec. 26. Laws 2021, First Special Session chapter 13, article 1, section 10, subdivision 11, is amended to read:

Subd. 11. **English learner cross subsidy reduction aid.** ~~(a)~~ For English learner cross subsidy reduction aid under section 9:

\$	2,000,000	.....	2022
\$	2,000,000	.....	2023

~~(b) The base for English learner cross subsidy reduction aid is \$2,000,000 for fiscal year 2024, \$2,000,000 for fiscal year 2025, and \$0 for fiscal year 2026 and later.~~

Sec. 27. **REPEALER.**

Minnesota Statutes 2020, section 124D.4531, subdivision 3a, is repealed.

ARTICLE 3

EDUCATION EXCELLENCE

Section 1. Minnesota Statutes 2020, section 120B.018, is amended by adding a subdivision to read:

Subd. 7. **Personalized, competency-based education.** "Personalized, competency-based education" means a system of learning in which the:

(1) staff and students are empowered to make important decisions about the students' learning experiences, how the students will create and apply knowledge, and how students will demonstrate the students' learning;

(2) local assessment is a meaningful, positive, and empowering learning experience for students that yields timely, relevant, and actionable evidence;

(3) students receive timely, differentiated support based on the students' individual learning needs;

(4) students' progress is based on evidence of mastery rather than by hours of attendance;

(5) students learn actively using different pathways and varied pacing;

(6) strategies to ensure equity for all students are embedded in the culture, structure, and pedagogy of schools and education systems; and

(7) rigorous, common expectations for learning, including knowledge, skills, and dispositions identified in required academic standards, are explicit, transparent, measurable, and transferable.

Sec. 2. Minnesota Statutes 2020, section 120B.02, is amended by adding a subdivision to read:

Subd. 1a. **Personalized, competency-based education.** (a) A school district or charter school may adopt a locally developed competency-based education plan to allow students to satisfactorily complete both required academic standards under section 120B.021, and credits under section 120B.024, and advance to higher levels of learning by demonstrating mastery of required state standards, regardless of the time, place, or pace of learning. The local plan may be implemented in individual school sites within a school district or districtwide. Personalized, competency-based education is designed to improve educational outcomes for students by advancing their mastery of concepts and skills.

(b) A school district or charter school that adopts a personalized, competency-based education plan must include a description in its long-term strategic plan under section 120B.11 or annual public report under section 124E.16 and post on the website information on how:

(1) the plan's components satisfy required state standards and the goals included in the world's best workforce plan under section 120B.11;

(2) competencies include explicit and measurable student learning objectives aligned to required and elective state standards and benchmarks;

(3) students master competencies along a personalized and flexible pathway. A student may demonstrate mastery of competencies through successful performance of the competencies, application of the competencies, or both;

(4) local assessments are used to personalize learning experiences for a student; and

(5) students receive timely and personalized support based on individual learning needs.

(c) A school district or charter school with a personalized, competency-based education plan must administer the required statewide assessments to all students in the appropriate grade levels consistent with section 120B.30.

(d) Average daily membership for a student participating in a personalized, competency-based education is subject to the limits under section 126C.05, subdivision 8.

Sec. 3. Minnesota Statutes 2020, section 120B.12, is amended to read:

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

Subdivision 1. **Literacy goal.** The legislature seeks to have every child reading at or above grade level beginning in kindergarten and no later than the end of grade 3, including English learners, and that teachers provide ~~comprehensive, scientifically-based~~ evidence-based reading instruction through a multitiered system of support and based in the science of reading by 2027. Instruction must focus on student mastery of the foundational reading skills of phonemic awareness, phonics, and fluency, as well as the development of oral language and vocabulary and reading comprehension skills. Students must receive evidenced-based instruction based in the science of reading that is proven to effectively teach children to read consistent with section 122A.06, subdivision 4.

Subd. 2. **Identification; report.** (a) Each school district must identify before the end of kindergarten, grade 1, and grade 2 all students who are not ~~reading at grade level~~ demonstrating mastery of foundational reading skills, including phonemic awareness, phonics, decoding, and fluency, using a screening tool approved by the Department of Education. Students identified as not reading at grade level demonstrating mastery of foundational reading skills by the end of kindergarten, grade 1, and grade 2 must be screened, in a locally determined manner using a tool approved by the Department of Education, for characteristics of dyslexia and screening data must be submitted to the Department of Education in the form and manner prescribed by the commissioner.

(b) Students in grade 3 or higher who demonstrate a reading difficulty to a classroom teacher must be screened, ~~in a locally determined manner~~ using a tool approved by the Department of

Education, for deficits in foundational reading skills and characteristics of dyslexia, unless a different reason for the reading difficulty has been identified.

(c) Reading assessments in English, and in the predominant languages of district students where practicable, must identify and evaluate students' areas of academic need related to literacy. The district also must monitor the progress and provide reading instruction appropriate to the specific needs of English learners. The district must use ~~a locally adopted,~~ tools approved by the Department of Education that are developmentally appropriate, and culturally responsive assessment assessments and annually report summary assessment results to the commissioner by July 1.

(d) The district also must annually report to the commissioner by December 15 and July 1 a summary of the district's efforts to screen and identify students who demonstrate characteristics of dyslexia using screening tools approved by the Department of Education such as those recommended by the department's dyslexia specialist. With respect to students screened or identified under paragraph (a), the report must include:

- (1) a summary of the district's efforts to screen for dyslexia;
- (2) the number of students screened for that reporting year; and
- (3) the number of students demonstrating characteristics of dyslexia for that year.

(e) A student identified under this subdivision must be provided with alternate instruction under section 125A.56, subdivision 1.

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

(1) the student's reading proficiency, including student performance on foundational reading skills and whether the student has been identified as demonstrating characteristics of dyslexia, as measured by a ~~locally adopted assessment~~ tool approved by the Department of Education;

(2) reading-related services currently being provided within a multitiered system of support framework to the student, specific curricula being used, the training and licensure of the teacher providing these services, how these services address identified skill deficits, and how the student's progress will be monitored; and

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

A district may not use this section to deny a student's right to a special education evaluation.

Subd. 3. **Intervention.** (a) For each student identified under subdivision 2, the district shall provide reading intervention to accelerate student growth and reach the goal of reading at or above grade level by the end of the current grade and school year. If a student does not read at or above grade level by the end of ~~grade 3~~ the current school year, the district must continue to provide reading intervention until the student reads at grade level. District intervention methods ~~shall encourage~~ must include family engagement and, where possible, collaboration with appropriate school and

community programs that specialize in evidence-based instructional practices based in the science of reading and emphasis on mastery of foundational reading skills, including phonemic awareness, phonics, decoding, and fluency. Intervention methods must be taught by a certified or licensed reading specialist and may include, but are not limited to, requiring attendance in summer school, intensified reading instruction that may require that the student be removed from the regular classroom for part of the school day, extended-day programs, or programs that strengthen students' cultural connections.

(b) A school district or charter school ~~is strongly encouraged to~~ must provide a personal learning plan for a student who is unable to demonstrate grade-level proficiency, as measured by ~~the statewide reading assessment in grade 3~~ state-approved progress monitoring tools in kindergarten through grade 3. The district or charter school must determine the format of the personal learning plan in collaboration with the student's educators and other appropriate professionals. The school must develop the learning plan in consultation with the student's parent or guardian. The personal learning plan must address knowledge gaps and skill deficiencies through strategies such as specific exercises and practices during and outside of the regular school day, periodic assessments, and reasonable timelines. ~~The personal learning plan may include grade retention, if it is in the student's best interest.~~ A school must maintain and regularly update and modify the personal learning plan until the student reads at grade level. This paragraph does not apply to a student under an individualized education program.

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

(1) elementary teachers and early childhood educators, where appropriate, are able to implement comprehensive, scientifically based reading and oral language instruction based in the science of reading. Instruction provided by elementary teachers must include explicit, systematic instruction in the five reading areas of phonemic awareness, phonics, fluency, vocabulary, and comprehension as defined in section 122A.06, subdivision 4, and other literacy-related areas including writing until the student achieves grade-level reading proficiency. Instruction provided by early childhood educators must include explicit, systematic instruction in phonological and phonemic awareness, oral language, including listening comprehension and vocabulary, and letter-sound correspondence;

(2) elementary teachers and early childhood educators, where appropriate, have sufficient training to provide comprehensive, scientifically based reading and oral language instruction based in the science of reading that meets students' developmental, linguistic, and literacy needs, including foundational reading skills, using the intervention methods or programs selected by the district for the identified students;

(3) licensed teachers employed by the district have regular opportunities to improve reading and writing instruction by July 1, 2027, all public school kindergarten through grade 3 teachers and support staff employed by the school district must be offered training and provided ongoing coaching in the science of reading using a training program approved by the Department of Education and must be funded with literacy incentive aid received annually by districts under section 124D.98;

(4) licensed teachers recognize students' diverse needs in cross-cultural settings and are able to serve the oral language and linguistic needs of students who are English learners by maximizing

strengths in their native languages in order to cultivate students' English language development, including oral academic language development, and build academic literacy; and

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

Subd. 4a. **Local literacy plan.** (a) Consistent with this section, a school district must ~~adopt~~ submit a local literacy plan using the template provided by the Department of Education, to have every child in kindergarten through grade 3 developing early literacy skills and reading at or above grade level no later than the end of grade 3, including English learners. The plan must be consistent with section 122A.06, subdivision 4, and include the following:

(1) a process within a multitiered system of support framework to assess students' level of reading proficiency and data to support the effectiveness of an assessment used to screen and identify a student's level of reading proficiency foundational reading skills that are characteristic of dyslexia;

(2) a process to notify and ~~involve~~ partner with parents to promote developmentally appropriate and culturally relevant language and literacy support at home;

(3) a description of the data-based decision-making process within the multitiered system of support framework for how schools in the district will determine the proper appropriate reading instruction and intervention strategy for a student to meet the identified student's needs and the progress monitoring process for intensifying or modifying the reading strategy instruction and intervention in order to obtain measurable reading progress;

(4) a process within a multitiered system of support framework to implement explicit, systematic, evidence-based intervention methods based in the science of reading for students who demonstrate foundational reading skills deficits or are not reading at or above grade level and progress monitoring to provide information on the effectiveness of the intervention. Intervention methods may not include the three-cueing system. Progress monitoring must be completed to provide information on the effectiveness of the intervention; and

(5) a process to screen and identify students with characteristics of dyslexia as required by section 120B.12; and

~~(5)~~ (6) identification of staff development needs, including a program plan to meet those needs.

(b) The district must post its literacy plan on the official school district website.

Subd. 5. **Commissioner.** The commissioner shall ~~recommend to districts multiple assessment tools~~ provide a menu of state-approved assessment tools that are aligned to the English language arts state academic standards and to early childhood indicators of progress to assist districts and teachers with identifying students under subdivision 2. The commissioner shall also make available examples of nationally recognized and research-based instructional methods or programs to districts to provide opportunities for teachers to be trained in the science of reading in order to ensure the instruction being provided is comprehensive, scientifically based reading instruction and intervention under this section.

Sec. 4. Minnesota Statutes 2020, section 122A.06, subdivision 4, is amended to read:

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

Comprehensive, scientifically based reading instruction also occurs within a multitiered system of support framework. A multitiered system of support includes and integrates instructional strategies for continuously assessing, evaluating, and communicating the student's reading progress and needs in order to design and implement ongoing instruction and interventions based in the science of reading so that students of all ages and proficiency levels can read and comprehend text, write, and apply higher level thinking skills. Instruction within a multitiered system of support framework includes core, supplemental, and intensive reading instruction used at each grade level, including prekindergarten through third grade, and must be designed around teaching the five foundational reading skills based in the science of reading. For English learners developing literacy skills, districts are encouraged to use strategies that teach reading and writing in the students' native language and English at the same time.

(b) For the purposes of this subdivision, the following terms have the meanings given:

~~(b)~~ (1) "Fluency" is means the ability of students to read text with speed, accuracy, and proper expression.

~~(c)~~ (2) "Phonemic awareness" is means the ability of students to notice, think about, and manipulate individual sounds in spoken syllables and words.

(3) "Phonics instruction" means the explicit, systematic, and direct instruction of the relationships between letters and the sounds they represent and the application of this knowledge in reading and spelling.

~~(d)~~ (4) "Phonics" is means the understanding that there are systematic and predictable relationships between written letters and spoken words. Phonics instruction is a way of teaching reading that stresses learning how letters correspond to sounds and how to apply this knowledge in reading and spelling.

~~(e)~~ (5) "Reading comprehension" is means an active process that requires intentional thinking during which meaning is constructed through interactions between text and reader. Comprehension skills are taught explicitly by demonstrating, explaining, modeling, and implementing specific cognitive strategies to help beginning readers derive meaning through intentional, problem-solving thinking processes.

~~(f)~~ (6) "Vocabulary development" is means the process of teaching vocabulary both directly and indirectly, with repetition and multiple exposures to vocabulary items. Learning in rich contexts, incidental learning, and use of computer technology enhance the acquiring of vocabulary.

(7) "Foundational reading skills" means phonological and phonemic awareness, phonics or decoding, and fluency. Foundational reading skills appropriate to each grade level must be mastered

in kindergarten, grade 1, and grade 2. Struggling readers in grade 3 and higher who demonstrate deficits in foundational reading skills may require explicit, systematic instruction to reach mastery.

(8) A "multitiered system of support" means a systematic preventative approach that addresses the academic, behavioral, and social-emotional needs of all students at the core (universal), targeted (Tier I), and intensive (Tier II) levels. Through a multitiered system of support a teacher must provide high quality, scientifically based or evidence-based instruction and intervention that is matched to a student's needs; uses a method monitoring progress frequently to inform decisions about instruction and goals; and applies data literacy skills to educational decision making.

(c) Beginning in the 2022-2023 school year, a public school district or charter school must transition away from a program of instruction for students in kindergarten through grade 2 that is based in any practice or intervention program that uses:

(1) visual memory as the primary basis for teaching word recognition; or

(2) the three-cueing system model of reading based on meaning, structure and syntax, and visual, which is also known as "MSV."

~~(e)~~ (d) Nothing in this subdivision limits the authority of a school district to select a school's reading program or curriculum.

Sec. 5. Minnesota Statutes 2020, section 124D.095, subdivision 7, is amended to read:

Subd. 7. **Department of Education.** (a) The department must review and approve or disapprove online learning providers within 90 calendar days of receiving an online learning provider's completed application. The commissioner, using research-based standards of quality for online learning programs, must review all approved online learning providers on a cyclical three-year basis. Approved online learning providers annually must submit program data to, confirm statements of assurances for, and provide program updates including a current course list to the commissioner.

(b) The online learning courses and programs must be rigorous, aligned with state academic standards, and contribute to grade progression in a single subject. The online learning provider, other than a digital learning provider offering digital learning to its enrolled students only under subdivision 4, paragraph (d), must give the commissioner written assurance that: (1) all courses meet state academic standards; and (2) the online learning curriculum, instruction, and assessment, expectations for actual teacher-contact time or other student-to-teacher communication, and academic support meet nationally recognized professional standards and are described as such in an online learning course syllabus that meets the commissioner's requirements. Once an online learning provider is approved under this paragraph, all of its online learning course offerings are eligible for payment under this section unless a course is successfully challenged by an enrolling district or the department under paragraph (c).

(c) An enrolling district may challenge the validity of a course offered by an online learning provider. The department must review such challenges based on the approval procedures under paragraph (b). The department may initiate its own review of the validity of an online learning course offered by an online learning provider.

(d) The department may collect a fee not to exceed \$250 for approving online learning providers or \$50 per course for reviewing a challenge by an enrolling district.

(e) The department must develop, publish, and maintain a list of online learning providers that it has reviewed and approved.

(f) The department may review a complaint about an online learning provider, or a complaint about a provider based on the provider's response to notice of a violation. If the department determines that an online learning provider violated a law or rule, the department may:

(1) create a compliance plan for the provider; or

(2) withhold funds from the provider under sections 124D.095, 124E.25, and 127A.42. The department must notify an online learning provider in writing about withholding funds and provide detailed calculations.

(g) An online learning program fee administration account is created in the special revenue fund. Funds retained under paragraph (d) shall be deposited in the account. Money in the account is appropriated to the commissioner for costs associated with administering and monitoring online and digital learning programs.

Sec. 6. Minnesota Statutes 2020, section 124D.231, is amended to read:

124D.231 FULL-SERVICE COMMUNITY SCHOOLS.

Subdivision 1. **Definitions.** For the purposes of this section, the following terms have the meanings given them.

(a) "Community organization" means a nonprofit organization that has been in existence for three years or more and serves persons within the community surrounding the covered school site on education and other issues.

(b) "Community school consortium" means a group of schools and community organizations that propose to work together to plan and implement community school programming.

(c) "Community school programming" means services, activities, and opportunities described under subdivision 2, paragraph ~~(g)~~ (f).

(d) "Community-wide full-service community school leadership team" means a district-level team that is responsible for guiding the vision, policy, resource alignment, implementation, oversight, and goal setting for community school programs within the district. This team shall include representatives from the district; teachers, school leaders, students, and family members from the eligible schools; community members; system-level partners that include representatives from government agencies, relevant unions, and nonprofit and other community-based partners; and, if applicable, the full-service community school initiative director.

(e) "Full-service community school initiative director" means a director responsible for coordinating districtwide administrative and leadership assistance to community school sites and site coordinators including chairing the district's community-wide full-service community school

leadership team, site coordinator support, data gathering and evaluation, administration of partnership and data agreements, contracts and procurement, and grants.

~~(d)~~ (f) "High-quality child care or early childhood education programming" means educational programming for preschool-aged children that is grounded in research, consistent with best practices in the field, and provided by licensed teachers.

~~(e)~~ (g) "School site" means a school site at which an applicant has proposed or has been funded to provide community school programming.

~~(f)~~ (h) "Site coordinator" ~~is an individual~~ means a full-time staff member serving one eligible school who is responsible for aligning the identification, implementation, and coordination of programming with to address the needs of the school community identified in the baseline analysis.

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

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

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

(3) the school is part of an intermediate district organized under Minnesota Statutes, section 136D.01.

~~(b) An eligible school site may receive up to \$150,000 annually.~~ Districts and charter schools may receive up to:

(1) \$150,000 for each eligible school available for up to one year to fund planning activities including convening a full-service community school leadership team, facilitating family and community stakeholder engagement, conducting a baseline analysis, and creating a full-service community school plan. At the end of this period, the school must submit a full-service community school plan, pursuant to paragraphs (d) and (e); and

(2) \$200,000 annually for each eligible school for up to three years of implementation of a full-service community school plan, pursuant to paragraphs (f) and (g). School sites receiving funding under this section shall hire or contract with a partner agency to hire a site coordinator to coordinate services at each covered school site. Districts or charter schools receiving funding under this section for three or more schools shall provide or contract with a partner agency to provide a full-service community school initiative director.

~~(c) Of grants awarded, implementation funding of up to \$20,000 must be available for up to one year for planning for school sites. At the end of this period, the school must submit a full-service community school plan, pursuant to paragraph (g). If the site decides not to use planning funds, the plan must be submitted with the application.~~

~~(d)~~ (c) The commissioner shall consider additional school factors when dispensing funds including: schools with significant populations of students receiving free or reduced-price lunches; significant homeless and highly mobile rates; ~~and~~ equity among urban, suburban, and greater Minnesota schools; and demonstrated success implementing full-service community school programming.

~~(e)~~ (d) A school site must establish a full-service community school leadership team responsible for developing school-specific programming goals, assessing program needs, and overseeing the process of implementing ~~expanded programming at each covered site~~ the full-service community school plan and evidence-based model. The full-service community school leadership team shall have ~~between~~ at least 12 to 15 members and shall meet the following requirements:

(1) at least 30 percent of the members are parents, guardians, or students and 30 percent of the members are ~~teachers~~ educators at the school site and must include the school principal and representatives from partner agencies; and

(2) the full-service community school leadership team must be responsible for overseeing the baseline analyses under paragraph ~~(f)~~ (e) and the creation of a full-service community school plan under paragraphs (f) and (g).

(3) a full-service community school leadership team must meet at least quarterly and have ongoing responsibility for monitoring the development and implementation of full-service community school operations and programming at the school site and shall issue recommendations to schools school administration on a regular basis and summarized in an annual full-service community school review report under subdivision 3, paragraph (a). ~~These reports shall also be made available to the public at the school site and on school and district websites.~~

~~(f)~~ (e) School sites must complete a baseline analysis prior to ~~beginning programming as the~~ creation of a full-service community school plan. The analysis shall include:

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

(i) identification of challenges facing the school;

(ii) analysis of the student body, including:

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

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

(C) number of students who are homeless or highly mobile; ~~and~~

(D) number and percentage of students receiving free or reduced-price lunch and the needs of these students; and

(E) number and percentage of students by race and ethnicity;

(iii) analysis of enrollment and retention rates for students with disabilities, English learners, homeless and highly mobile students, and students receiving free or reduced-price lunch;

(iv) analysis of suspension and expulsion data, including the justification for such disciplinary actions and the degree to which particular populations, including, but not limited to, American Indian students and students of color, students with disabilities, students who are English learners, and students receiving free or reduced-price lunch are represented among students subject to such actions;

(v) analysis of school achievement data disaggregated by major demographic categories, including, but not limited to, race, ethnicity, English learner status, disability status, and free or reduced-price lunch status;

(vi) analysis of current parent engagement strategies and their success; and

(vii) evaluation of the need for and availability of ~~wraparound services~~ full-service community school activities, including, but not limited to:

~~(A) mechanisms for meeting students' social, emotional, and physical health needs, which may include coordination of existing services as well as the development of new services based on student needs; and~~

~~(B) strategies to create a safe and secure school environment and improve school climate and discipline, such as implementing a system of positive behavioral supports, and taking additional steps to eliminate bullying;~~

(A) integrated student supports that address out-of-school barriers to learning through partnerships with social and health service agencies and providers, and may include medical, dental, vision care, and mental health services, or counselors to assist with housing, transportation, nutrition, immigration, or criminal justice issues;

(B) enriched learning time and opportunities, including before-school, after-school, weekend, and summer programs that provide additional academic instruction, individualized academic support, enrichment activities, and learning opportunities that emphasize real-world learning and community problem solving and may include art, music, drama, creative writing, hands-on experience with engineering or science, tutoring and homework help, or recreational programs that enhance and are consistent with the school's curriculum;

(C) active family, student, and community engagement that brings students' families and the community into the school as partners in children's education and makes the school a neighborhood hub, providing adults with educational opportunities that may include adult English as a second language classes, computer skills, art, or other programs that bring community members into the school for meetings or events; and

(D) collaborative leadership and practices that build a culture of professional learning, collective trust, and shared responsibility and include a school-based full-service community school leadership team, a full-service community school site coordinator, a full-service community school initiative director, a community-wide leadership team, other leadership or governance teams, teacher learning communities, or other staff to manage the joint work of school and community organizations;

(2) a baseline analysis of community assets ~~and a strategic plan for utilizing and aligning identified assets. This analysis should include, but is not limited to,~~ including a documentation of individuals in the community, faith-based organizations, community and neighborhood associations,

colleges, hospitals, libraries, businesses, and social service agencies ~~who~~ that may be able to provide support and resources; and

(3) a baseline analysis of needs in the community surrounding the school, ~~led by the school leadership team, including, but not limited to:~~

- (i) the need for high-quality, full-day child care and early childhood education programs;
- (ii) the need for physical and mental health care services for children and adults; and
- (iii) the need for job training and other adult education programming.

~~(e)~~ (f) Each school site receiving funding under this section must establish develop a full-service community school plan that utilizes and aligns district and community assets and establishes services in at least two of the following types of programming:

(1) early childhood:

- (i) early childhood education; and
- (ii) child care services;

(2) academic:

- (i) academic support and enrichment activities, including expanded learning time;
- (ii) summer or after-school enrichment and learning experiences;
- (iii) job training, internship opportunities, and career counseling services;

(iv) programs that provide assistance to students who have been chronically absent, truant, suspended, or expelled; ~~and~~

(v) specialized instructional support services;

(vi) social-emotional learning;

(vii) culturally sustaining instruction;

(viii) civic learning and leadership opportunities; and

(ix) community-based learning opportunities;

(3) ~~parental involvement~~ engaging families:

(i) programs that ~~promote parental involvement and~~ link families to their child's learning such as family literacy;

(ii) ~~parent family~~ family leadership development activities that empower and strengthen families and communities, provide volunteer opportunities, or promote inclusion in school-based leadership teams; and

(iii) parenting education activities;

(iv) designating space where families may meet with school staff and each other; and

(v) designating staff at the school site to meet with families and educators to build dual capacities for family-school partnerships;

(4) mental and physical health:

(i) mentoring and other youth development programs, including peer mentoring and conflict mediation;

(ii) juvenile crime prevention and rehabilitation programs;

(iii) home visitation services by teachers and other professionals;

(iv) developmentally appropriate physical education;

(v) nutrition services;

(vi) primary health and dental care; and

(vii) mental health counseling services;

(5) community involvement:

(i) service and service-learning opportunities;

(ii) adult education, including instruction in English as a second language; and

(iii) homeless prevention services;

(6) positive discipline practices; and

(7) other programming designed to meet school and community needs identified in the baseline analysis and reflected in the full-service community school plan.

~~(h)~~ (g) The full-service community school leadership team at each school site must develop a full-service community school plan detailing the steps the school leadership team will take, including:

(1) timely establishment and consistent operation of the school leadership team;

(2) maintenance of attendance records in all programming components;

(3) maintenance of measurable data showing annual participation and the impact of programming on the participating children and adults;

(4) documentation of meaningful and sustained collaboration between the school and community stakeholders, including local governmental units, civic engagement organizations, businesses, and social service providers;

(5) establishment and maintenance of partnerships with institutions, such as universities, hospitals, museums, or not-for-profit community organizations to further the development and implementation of community school programming;

(6) ensuring compliance with the district nondiscrimination policy; and

(7) plan for school leadership team development.

Subd. 3. **Full-service community school review.** (a) ~~Every three years,~~ A full-service community school site must submit to the commissioner, and make available at the school site and online, a report describing efforts to integrate community school programming at each ~~covered~~ currently funded school site and the effect of the transition to a full-service community school on participating children and adults. This report shall include, but is not limited to, the following:

~~(1) an assessment of the effectiveness of the school site in development or implementing the community school plan;~~

(1) the effectiveness of the school or the community school consortium in implementing the full-service community school plan, including the effectiveness of the community plan to address needs identified during the needs assessment process, the degree to which the school site navigated difficulties encountered in the design and operation of the full-service community school plan, including identification of any federal, state, or local statute or regulation impeding program implementation;

(2) the extent to which the project has produced lessons about ways to improve delivery of community school programming to students;

~~(2)~~ (3) problems encountered in the design and execution of the community school plan, including identification of any federal, state, or local statute or regulation impeding program implementation;

~~(3)~~ (4) the operation of the school leadership team and its contribution to successful execution of the community school plan;

~~(4)~~ (5) recommendations for improving delivery of community school programming to students and families;

~~(5)~~ (6) the number and percentage of students receiving community school programming who had not previously been served;

~~(6)~~ (7) the number and percentage of nonstudent community members receiving community school programming who had not previously been served;

~~(7) improvement in retention among students who receive community school programming;~~

(8) improvement in academic achievement among students who receive community school programming;

(9) improvement in student attendance; course completion, grades, or other interim measures of academic achievement; and student discipline incidents;

~~(9)~~ (10) changes in student's readiness to enter school, active involvement in learning and in their community, physical, social and emotional health, and student's relationship with the school and community environment;

~~(10)~~ (11) an accounting of anticipated local budget savings, if any, resulting from the implementation of the program;

~~(11)~~ (12) improvements to the frequency or depth of families' involvement with their children's education;

~~(12)~~ (13) assessment of family, community stakeholder member, community institution, and, where appropriate, student satisfaction over the duration of the grant;

~~(13)~~ (14) assessment of institutional partner satisfaction;

~~(14)~~ (15) a summary of how stakeholders were engaged in the planning and implementation process;

~~(15)~~ (16) a summary of new or expanded community partnerships that formed as a result of the grant;

~~(16)~~ (17) the ability, or anticipated ability, of the school site and partners to continue to provide services in the absence of future funding under this section; and

~~(17)~~ (18) increases in access to services for students and their families; and

~~(18)~~ (19) the degree of increased collaboration among participating agencies and private partners.

(b) Reports submitted under this section shall be evaluated by the commissioner with respect to the following criteria: clauses in paragraph (a).

~~(1)~~ (1) the effectiveness of the school or the community school consortium in implementing the full-service community school plan, including the degree to which the school site navigated difficulties encountered in the design and operation of the full-service community school plan, including identification of any federal, state, or local statute or regulation impeding program implementation;

~~(2)~~ (2) the extent to which the project has produced lessons about ways to improve delivery of community school programming to students;

~~(3)~~ (3) the degree to which there has been an increase in the number or percentage of students and nonstudents receiving community school programming;

~~(4)~~ (4) the degree to which there has been an improvement in retention of students and improvement in academic achievement among students receiving community school programming;

~~(5)~~ (5) local budget savings, if any, resulting from the implementation of the program;

~~(6)~~ (6) the degree of community stakeholder and institutional partner engagement;

~~(7)~~ (7) the ability, or anticipated ability, of the school site and partners to continue to provide services in the absence of future funding under this section;

~~(8)~~ (8) increases in access to services for students and their families; and

~~(9) the degree of increased collaboration among participating agencies and private partners.~~

Sec. 7. Minnesota Statutes 2020, section 124D.74, subdivision 3, is amended to read:

Subd. 3. **Enrollment of other children; shared time enrollment.** To the extent ~~it is economically feasible~~ that the unique educational and culturally related academic needs of American Indian people are met and American Indian student accountability factors are the same or higher than their non-American Indian peers, a district or participating school may make provision for the voluntary enrollment of non-American Indian children in the instructional components of an American Indian education program in order that they may acquire an understanding of the cultural heritage of the American Indian children for whom that particular program is designed. However, in determining eligibility to participate in a program, priority must be given to American Indian children. American Indian children and other children enrolled in an existing nonpublic school system may be enrolled on a shared time basis in American Indian education programs.

Sec. 8. Minnesota Statutes 2020, section 124D.81, subdivision 1, is amended to read:

Subdivision 1. **Procedures.** A school district, charter school, or American Indian-controlled Tribal contract or grant school enrolling at least 20 American Indian students on October 1 of the previous school year ~~and operating an American Indian education program according to section 124D.74~~ is eligible for American Indian education aid if it meets the requirements of this section. Programs may provide for contracts for the provision of program components by nonsectarian nonpublic, community, Tribal, charter, or alternative schools. The commissioner shall prescribe the form and manner of application for aids, and no aid shall be made for a program not complying with the requirements of sections 124D.71 to 124D.82.

Sec. 9. Minnesota Statutes 2020, section 124D.81, subdivision 2, is amended to read:

Subd. 2. **Plans.** To ~~qualify for~~ receive aid, an eligible district, charter school, or Tribal contract school must develop and submit a plan for approval by the Indian education director that shall:

- (a) Identify the measures to be used to meet the requirements of sections 124D.71 to 124D.82;
- (b) Identify the activities, methods and programs to meet the identified educational needs of the children to be enrolled in the program;
- (c) Describe how district goals and objectives as well as the objectives of sections 124D.71 to 124D.82 are to be achieved;
- (d) Demonstrate that required and elective courses as structured do not have a discriminatory effect within the meaning of section 124D.74, subdivision 5;
- (e) Describe how each school program will be organized, staffed, coordinated, and monitored; and
- (f) Project expenditures for programs under sections 124D.71 to 124D.82.

Sec. 10. Minnesota Statutes 2020, section 124D.81, subdivision 2a, is amended to read:

Subd. 2a. **American Indian education aid.** (a) The American Indian education aid allowance equals \$358 for fiscal years 2022 and 2023. The American Indian education aid allowance for fiscal year 2024 and later equals the product of \$358 times the ratio of the formula allowance under section 126C.10, subdivision 2, for the current fiscal year to the formula allowance under section 126C.10, subdivision 2, for fiscal year 2023.

(b) The American Indian education aid minimum equals \$20,000 for fiscal years 2022. The American Indian education aid minimum equals \$40,000 for fiscal year 2023. The American Indian education aid minimum for fiscal year 2024 and later equals the product of \$40,000 times the ratio of the formula allowance under section 126C.10, subdivision 2, for the current fiscal year to the formula allowance under section 126C.10, subdivision 2, for fiscal year 2023.

(~~a~~) (c) The American Indian education aid for an eligible district or Tribal contract school equals the greater of (1) the sum of ~~\$20,000~~ the American Indian education aid minimum plus the product of ~~\$358~~ the American Indian education aid allowance times the difference between the number of American Indian students enrolled on October 1 of the previous school year and 20; or (2) if the district or school received a grant under this section for fiscal year 2015, the amount of the grant for fiscal year 2015.

(~~b~~) (d) Notwithstanding paragraph (~~a~~) (c), the American Indian education aid must not exceed the district or Tribal contract school's actual expenditure according to the approved plan under subdivision 2.

EFFECTIVE DATE. This section is effective for revenue for fiscal year 2023 and later.

Sec. 11. **[124D.901] STUDENT SUPPORT PERSONNEL AID.**

Subdivision 1. **Definitions.** For the purposes of this section, the following terms have the meanings given:

(1) "new position" means a student support services personnel full-time or part-time position not under contract by a school district, charter school, or cooperative unit at the start of the 2021-2022 school year; and

(2) "student support services personnel" means an individual licensed to serve as a school counselor, school psychologist, school social worker, school nurse, or chemical dependency counselor in Minnesota.

Subd. 2. **Purpose.** The purpose of student support personnel aid is to:

(1) address shortages of student support services personnel within Minnesota schools;

(2) decrease caseloads for existing student support services personnel to ensure effective services;

(3) ensure that students receive effective academic guidance and integrated and comprehensive services to improve prekindergarten through grade 12 school outcomes and career and college readiness;

(4) ensure that student support services personnel serve within the scope and practice of their training and licensure;

(5) fully integrate learning supports, instruction, and school management within a comprehensive approach that facilitates interdisciplinary collaboration; and

(6) improve school safety and school climate to support academic success and career and college readiness.

Subd. 3. **Aid eligibility and application.** A school district, charter school, intermediate school district, or other cooperative unit is eligible to apply for student support personnel aid under this section. The commissioner must prescribe the form and manner of the application, which must include a plan describing how the aid will be used.

Subd. 4. **Student support personnel aid.** (a) The initial student support personnel aid for a school district equals the greater of \$22 times the number of pupils enrolled at the district on October 1 of the previous fiscal year or \$35,000. The initial student support personnel aid for a charter school equals \$22 times the number of pupils enrolled at the charter school on October 1 of the previous fiscal year.

(b) The cooperative student support personnel aid for a school district that is a member of an intermediate school district or other cooperative unit that enrolls students equals \$6 times the number of pupils enrolled at the district on October 1 of the previous fiscal year. If a district is a member of more than one cooperative unit that enrolls students, the revenue must be allocated among the cooperative units.

(c) Notwithstanding paragraphs (a) and (b), the student support personnel aid must not exceed the district or cooperative unit's actual expenditure according to the approved plan under subdivision 3.

Subd. 5. **Allowed uses; match requirements.** (a) Aid under this section must be used to hire new positions for student support services personnel.

(b) Cooperative student support personnel aid must be transferred to the intermediate district or other cooperative unit of which the district is a member and used to hire new positions for student support services personnel at the intermediate district or cooperative unit.

(c) If a school district, charter school, or cooperative unit is not able to hire a new full-time equivalent position with student support personnel aid, the aid may be used for contracted services from individuals licensed to serve as a school counselor, school psychologist, school social worker, school nurse, or chemical dependency counselor in Minnesota.

Subd. 6. **Report required.** By February 1 following any fiscal year in which student support personnel aid was received, a school district, charter school, or cooperative unit must submit a written report to the commissioner indicating how the new position affected two or more of the following measures:

(1) school climate;

(2) attendance rates;

(3) academic achievement;

(4) career and college readiness; and

(5) postsecondary completion rates.

EFFECTIVE DATE. This section is effective for revenue for fiscal year 2023 and later.

Sec. 12. Minnesota Statutes 2020, section 124D.98, is amended by adding a subdivision to read:

Subd. 5. Literacy incentive aid uses. Beginning July 1, 2022, literacy incentive aid must be used to support comprehensive literacy reform efforts in public schools as follows:

(1) for public school prekindergarten through grade 3 teachers and support staff to be trained in the science of reading using a training program approved by the Department of Education no later than July 1, 2027, unless the commissioner of education grants an extension;

(2) to hire a licensed reading and dyslexia specialist who is trained in the science of reading as determined by the commissioner of education and oversees a school district's or charter school's implementation of required components under section 120B.12 no later than July 1, 2027, unless the commissioner of education grants an extension;

(3) for the most underperforming schools, defined as those at 25 percent or below proficiency on grade 3 reading on the Minnesota Comprehensive Assessments, to hire literacy coaches trained in the science of reading to support teachers and multitiered systems of support implementation; and

(4) to provide materials, training, and ongoing coaching to ensure alternate instruction under section 125A.56, subdivision 1, is based in the science of reading.

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

Sec. 13. **[125A.561] STATEWIDE SCHOOL-BASED MENTAL HEALTH SCREENING.**

Subdivision 1. Purpose and applicability. The purpose of this section is to establish a statewide system of school-based mental health screening for students, and school assessment of staff well-being as a support for student mental health and well-being.

Subd. 2. Definition of statewide school-based mental health screening. (a) For purposes of this section, school-based mental health screening means assessment of students to determine whether they may be at risk for a mental health concern using a systematic tool or process, including standardized student-report, parent-report, and teacher-report measures, mental health surveillance data, and structured teacher nomination processes.

(b) For purposes of this section, school staff assessment of well-being means a system and process for school staff self-assessments of an array of school staff well-being components, using surveys, interviews, focus groups or other means.

Subd. 3. Consent and confidentiality. For purposes of this section, the consent and confidentiality requirements of the Family Educational Rights and Privacy Act, United States Code, title 20, section 1232g, the Health Insurance Portability and Accountability Act, United States Code, title 42, section 1320d, and the Minnesota Government Data Practices Act, chapter 13, shall apply.

Subd. 4. Eligibility for statewide school-based mental health screening aid. A school district under chapter 123B, charter school under chapter 124E, or Tribal school under section 124D.83, qualifies for additional state funding to conduct school-based mental health screening for every student in kindergarten through grade 12 enrolled in that school district, charter school, or Tribal contract school if the school district board under section 123B.09, charter school board of directors under section 124E.07, with parent and community participation under section 124D.78, approves establishment of a mental health screening system.

Subd. 5. Uses of statewide school-based mental health screening aid. School districts, charter schools and Tribal schools may use funds under this section for:

(1) obtaining professional development for mental health screening of students and school staff self-assessment of well-being;

(2) procuring needed resources, technology and supplies for systematic mental health screening of students and school staff self-assessment of well-being;

(3) funding school staff mental health professionals and practitioners and contracted services to conduct student mental health screening, referral, and follow-up for students;

(4) funding administrative costs of conducting school staff well-being self-assessment;

(5) costs of billing public or private insurance for student mental health screening services reimbursement; and

(6) other expenses in implementing systems for mental health screening of students and school staff self-assessment of well-being.

Subd. 6. Statewide school-based mental health screening aid. For fiscal year 2023 and later, statewide school-based mental health screening aid equals \$11 times the number of kindergarten through grade 12 pupil units enrolled in the eligible school district, charter school, or Tribal school on October 1 of the previous fiscal year.

EFFECTIVE DATE. This section is effective for revenue for fiscal year 2023 and later.

Sec. 14. Laws 2021, First Special Session chapter 13, article 2, section 4, subdivision 2, is amended to read:

Subd. 2. Achievement and integration aid. For achievement and integration aid under Minnesota Statutes, section 124D.862:

	<u>84,057,000</u>		
\$	<u>80,310,000</u>	.....	2022
	<u>83,431,000</u>		
\$	<u>82,750,000</u>	.....	2023

The 2022 appropriation includes \$8,868,000 for 2021 and ~~\$75,189,000~~ \$71,442,000 for 2022.

The 2023 appropriation includes ~~\$8,353,000~~ \$7,938,000 for 2022 and ~~\$75,078,000~~ \$74,812,000 for 2023.

Sec. 15. Laws 2021, First Special Session chapter 13, article 2, section 4, subdivision 3, is amended to read:

Subd. 3. **American Indian education aid.** For American Indian education aid under Minnesota Statutes, section 124D.81, subdivision 2a:

	11,351,000		
\$	<u>11,436,000</u>	.....	2022
	11,775,000		
\$	<u>15,009,000</u>	.....	2023

The 2022 appropriation includes \$1,102,000 for 2021 and ~~\$10,249,000~~ \$10,334,000 for 2022.

The 2023 appropriation includes ~~\$1,138,000~~ \$1,148,000 for 2022 and ~~\$10,637,000~~ \$13,861,000 for 2023.

Sec. 16. Laws 2021, First Special Session chapter 13, article 2, section 4, subdivision 4, is amended to read:

Subd. 4. **Charter school building lease aid.** For building lease aid under Minnesota Statutes, section 124E.22:

	93,547,000		
\$	<u>89,499,000</u>	.....	2022
	99,819,000		
\$	<u>96,340,000</u>	.....	2023

The 2022 appropriation includes \$8,617,000 for 2021 and ~~\$84,930,000~~ \$80,882,000 for 2022.

The 2023 appropriation includes ~~\$9,436,000~~ \$8,986,000 for 2022 and ~~\$90,383,000~~ \$87,354,000 for 2023.

Sec. 17. Laws 2021, First Special Session chapter 13, article 2, section 4, subdivision 27, is amended to read:

Subd. 27. **Tribal contract school aid.** For Tribal contract school aid under Minnesota Statutes, section 124D.83:

	2,743,000		
\$	<u>2,808,000</u>	.....	2022
	3,160,000		
\$	<u>3,225,000</u>	.....	2023

The 2022 appropriation includes \$240,000 for 2021 and ~~\$2,503,000~~ \$2,568,000 for 2022.

The 2023 appropriation includes ~~\$278,000~~ \$285,000 for 2022 and ~~\$2,882,000~~ \$2,940,000 for 2023.

Sec. 18. APPROPRIATIONS; DEPARTMENT OF EDUCATION.

Subdivision 1. **Department of Education.** The sums indicated in this section are appropriated from the general fund to the Department of Education for the fiscal years designated.

Subd. 2. **Expand competency-based education.** (a) For expanding competency-based education under Minnesota Statutes, section 120B.02, subdivision 1a:

\$	<u>0</u>	.....	<u>2022</u>
\$	<u>6,648,000</u>	.....	<u>2023</u>

(b) Planning grants are available to encourage districts, charter schools, and area learning centers to develop criteria around personalized, competency-based education requirements. A grant application must include evidence that the district, charter school, or area learning center:

(1) must implement personalized, competency-based education schoolwide or has a plan to phase in implementation schoolwide;

(2) has partners that must help with the plan and assist with implementation;

(3) must implement activities and programs that focus on the implementation of the core principles and outcome-based measures aligned to academic standards and benchmarks, including a local system of assessment creating meaningful, positive, and empowering learning experiences for students that yield timely, relevant, and actionable data;

(4) has the capacity, qualifications, local governing body support, and time to successfully plan the program and an intentional and feasible planning process, including full participation in department professional development and technical assistance cohorts or networks;

(5) must align their budget as necessary with the planning process; and

(6) must communicate and promote the plan with parents, teachers, and members of the community.

(c) Grant recipients must annually report to the commissioner by June 30 on implementation progress and the numbers of students participating and earning credits or grade progressing through competency-based education. Grant recipients must describe progress in specific areas of study, progress in meeting the stated goals in their application, and any adjustments needed to achieve their stated goals.

(d) The base for fiscal year 2024 is \$1,676,000. This appropriation is available until June 30, 2025.

(e) Any balance in the first year does not cancel and is available in the second year.

(f) Up to five percent of this appropriation may be retained for administration costs.

Subd. 3. **Statewide school-based mental health screening.** (a) For school-based mental health screening aid under Minnesota Statutes, section 125A.561:

\$	<u>0</u>	.....	<u>2022</u>
\$	<u>9,538,000</u>	.....	<u>2023</u>

(b) Up to \$150,000 of this appropriation may be retained for administration costs.

Subd. 4. **Multitiered systems of support.** (a) For implementation of multitiered systems of support, a systematic continuous improvement framework that addresses the academic, behavioral, and social-emotional needs of all students at the universal, targeted, and intensive levels. Through multitiered systems of support, teachers must provide high quality, evidence-based instruction and intervention that is matched to a student's needs, use a method of monitoring progress regularly to inform decisions about instruction and goals, and apply data-based decision making to key educational efforts.

<u>\$</u>	<u>0</u>	<u>.....</u>	<u>2022</u>
<u>\$</u>	<u>15,000,000</u>	<u>.....</u>	<u>2023</u>

(b) Of this amount, \$1,300,000 is for the Department of Education to support implementation. Funds may be used to support increased capacity at the six Regional Centers of Excellence, the Early Childhood Special Education Centers of Excellence, and Minnesota Service Cooperatives.

(c) Of this amount, \$4,700,000 is reserved for grants to school districts, charter schools, and cooperative units as defined in Minnesota Statutes, section 123A.24, subdivision 2, for implementation of multitiered systems of support, including hiring local multitiered systems of support coordinators and deferring costs for personnel to participate in cohort activities. Up to five percent of this amount is available for program and grant administration.

(d) Of this amount, \$3,000,000 is for Language Essentials for Teachers of Reading and Spelling training for educators to ensure multitiered systems of support core, supplemental, and intervention literacy instructional practices are based in the science of reading. Up to five percent of this amount is available for program and grant administration.

(e) Of this amount, \$2,000,000 is for a grant to the Building Assets, Reducing Risks Center to provide access to services to all multitiered systems of support grantees under this subdivision. Up to five percent of this amount is available for program and grant administration.

(f) Of this amount, \$2,000,000 is for Tribal-State Relations training for school staff engaged in the statewide implementation of multitiered systems of support framework. Up to five percent of this amount is available for program and grant administration.

(g) Of this amount, \$2,000,000 is for the University of Minnesota Center for Applied Research and Educational Improvement to support implementation and evaluation of the multitiered systems of support framework. Up to five percent of this amount is available for program and grant administration.

(h) Support for school districts, charter schools, and cooperative units under this subdivision may include but is not limited to:

(1) providing training, guidance, and implementation resources for a statewide multitiered system of support model, including a universal screening process approved by the Department of Education to identify students who may be at risk of experiencing academic, behavioral and social-emotional development difficulties;

(2) providing guidance to convene school-based teams to analyze data provided by screenings under clause (1), and resources for related identification, instruction, and intervention methods;

(3) dyslexia screening and intervention based in the science of reading;

(4) requiring school districts and charter schools to provide parents of students identified in the screenings under clauses (1) and (3) with notice of screening findings and related support information;

(5) requiring districts and charter schools to provide at-risk students with interventions and to monitor the effectiveness of these interventions and student progress; and

(6) developing and annually reporting findings regarding the implementation of the statewide multitiered systems of support.

Subd. 5. **BOLD literacy.** (a) For the Minnesota BOLD statewide literacy plan to increase the equitable access to effective literacy experiences for all students by ensuring school leaders and educators are trained in the science of reading; supporting effective implementation and measurement of instructional practices aligned to state standards through the multitiered systems of support framework; and utilizing data literacy to inform instruction, inform educator development, evaluate resource deployment and policy, and employ intentional family and community engagement strategies.

\$	0	.....	2022
\$	5,000,000	.....	2023

(b) Of this amount, \$1,750,000 is for the Department of Education to establish science of reading academies to be provided at no cost to educators who work in Minnesota school districts and charter schools to complete Language Essentials for Teachers of Reading and Spelling (LETRS) professional development. Educators who have completed LETRS may have the opportunity to become LETRS facilitators through a train-the-trainer model.

(c) Of this amount, \$800,000 is to maintain a literacy unit at the Department of Education.

(d) Of this amount, \$1,200,000 is to expand literacy and dyslexia data collection and reporting systems at the Department of Education in order to collect and analyze prekindergarten through grade 3 data, including foundational reading skills, dyslexia screening data, and screening results of multilingual learners.

(e) Of this amount, \$1,000,000 is for state library services grants to support evidence-based early literacy practices rooted in the science of reading in school and community libraries.

(f) Of this amount, \$250,000 is for a grant to Reach Out and Read.

(g) Funds may be used for grant administration costs.

Subd. 6. **Culturally specific learning opportunities.** (a) For grants to school districts, charter schools, intermediate school districts, and cooperatives to create and offer culturally specific learning opportunities, including to form partnerships between community organizations and schools that offer critical thinking and engagement in learning. "Culturally specific learning opportunities" means programming that is culturally responsive, evidence-based, and comprehensive that responds to the academic and social-emotional needs of historically underserved students.

\$	<u>0</u>	.....	<u>2022</u>
\$	<u>5,000,000</u>	.....	<u>2023</u>

(b) Grants may be awarded in an amount up to \$200,000 per recipient.

(c) To the extent practicable, the commissioner must award grants equitably among the geographic areas of Minnesota, including rural, suburban, and urban communities.

(d) Up to five percent of this appropriation may be retained for administration costs.

Subd. 7. Expanding rigorous coursework for black students, indigenous students, students of color, and students in greater Minnesota. (a) For grants to expand rigorous coursework primarily for but not limited to disadvantaged and underrepresented students and students in greater Minnesota, such as through advanced placement courses, international baccalaureate programs, career and technical education, and concurrent enrollment courses:

\$	<u>0</u>	.....	<u>2022</u>
\$	<u>10,000,000</u>	.....	<u>2023</u>

(b) Of this amount, \$3,600,000 is for grants to districts and charter schools for regional partnerships and statewide programs in order to support professional development and incentives for high school teachers to develop and expand course offerings approved by the state. Compensation for teachers to teach courses beyond the contract day or year is an allowable expenditure. Funds may supplement, but not replace, current state and federal program funds. Grants may be awarded in an amount up to \$50,000 per recipient.

(c) Of this amount, \$6,400,000 is for matching grants to school districts and charter schools to support rigorous course expansion and statewide career and technical education program quality improvements. The department shall provide technical support and guidance. Funds may supplement, but not replace, current state and federal program funds. Grants may be awarded in an amount up to \$100,000 per recipient.

(d) Eligible grantees include school districts, charter schools, intermediate school districts, and cooperative units as defined in Minnesota Statutes, section 123A.24, subdivision 2.

(e) At least 50 percent of the funds in this subdivision must be awarded to grant recipients in greater Minnesota.

(f) Any balance in the first year does not cancel and is available in the second year.

(g) Up to five percent of this appropriation may be retained for administration costs.

Subd. 8. Full-service community schools. (a) For for grants to districts and charter schools to plan or expand full-service community schools programs under Minnesota Statutes, section 124D.231:

\$	<u>0</u>	.....	<u>2022</u>
\$	<u>5,000,000</u>	.....	<u>2023</u>

(b) Any balance in the first year does not cancel and is available in the second year.

(c) Up to five percent of this appropriation may be retained for administration costs.

Subd. 9. **Intermediate school district mental health innovation grant program.** (a) For grants to fund innovative projects to improve mental health outcomes for youth attending a qualifying school unit:

\$	0	.....	2022
\$	4,900,000	.....	2023

(b) This is a onetime appropriation.

(c) The commissioner may transfer funds to the commissioner of human services as needed.

(d) A "qualifying school unit" means an intermediate district organized under Minnesota Statutes, section 136D.01, or a service cooperative organized under Minnesota Statutes, section 123A.21, subdivision 1, paragraph (a), clause (2), that provides instruction to students in a setting of federal instructional level 4 or higher.

(e) Grants must be awarded to eligible applicants to ensure the services are proportionately provided among qualifying school units as determined by the commissioner.

(f) An eligible applicant is an entity that has demonstrated capacity to serve the youth identified in paragraph (e), employs or contracts with at least two licensed mental health professionals who have formal training in evidence-based practices, and that is:

(1) certified under Minnesota Rules, parts 9520.0750 to 9520.0870;

(2) a community mental health center under Minnesota Statutes, section 256B.0625, subdivision 5;

(3) an American Indian health service facility or facility owned and operated by a Tribe or Tribal organization operating under United States Code, title 25, section 5321; or

(4) a provider of children's therapeutic services and supports as defined in Minnesota Statutes, section 256B.0943.

(g) The commissioner may require grantees pursue third-party reimbursement.

(h) Up to five percent of this appropriation may be retained for administration costs.

Subd. 10. **Intermediate district supports.** (a) For grants to four intermediate districts within Minnesota for the purpose of establishing and maintaining a full-service community school model and providing professional development to teachers:

\$	0	.....	2022
\$	1,000,000	.....	2023

(b) Any balance in the first year does not cancel and is available in the second year.

(c) Up to five percent of this appropriation may be retained for technical assistance, evaluation, and administration costs.

Subd. 11. **Student support personnel aid.** For aid to support schools in addressing students' social, emotional, and physical health under Minnesota Statutes, section 124D.901:

\$	<u>0</u>	.....	<u>2022</u>
\$	<u>19,190,000</u>	.....	<u>2023</u>

Subd. 12. **Student support personnel.** (a) For developing a student support personnel workforce pipeline focused on workforce development strategies to increase providers of color and Indigenous providers, professional respecialization, recruitment, and retention; to increase the number of student support personnel providing school-based services; and to provide a school health services support position at the Department of Education:

\$	<u>0</u>	.....	<u>2022</u>
\$	<u>2,550,000</u>	.....	<u>2023</u>

(b) Any balance in the first year does not cancel and is available in the second year.

Subd. 13. **School-linked behavioral health.** (a) For transfer to the commissioner of human services for expanding school-linked behavioral health grants under Minnesota Statutes, section 245.4901.

\$	<u>0</u>	.....	<u>2022</u>
\$	<u>6,000,000</u>	.....	<u>2023</u>

(b) Of this amount, \$5,775,000 is for expanding school-linked behavioral health grants.

(c) Of the amount in paragraph (b), \$4,775,000 is to support kindergarten through grade 12 students needing mental health supports.

(d) Of the amount in paragraph (b), \$1,000,000 is to support school staff in providing supports to students.

(e) Grant funds may be awarded to existing school-linked mental health providers through amending current grant contracts.

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

ARTICLE 4

TEACHERS

Section 1. Minnesota Statutes 2020, section 122A.187, is amended by adding a subdivision to read:

Subd. 7. **American Indian history and culture.** The Professional Educator Licensing and Standards Board must adopt rules that require all licensed teachers renewing their license under sections 122A.181 to 122A.184 to include in the renewal requirements professional development in the cultural heritage and contemporary contributions of American Indians, with particular emphasis on Minnesota Tribal Nations.

Sec. 2. Minnesota Statutes 2020, section 122A.415, subdivision 4, is amended to read:

Subd. 4. **Basic alternative teacher compensation aid.** (a) The basic alternative teacher compensation aid for a school with a plan approved under section 122A.414, subdivision 2b, equals 65 percent of the alternative teacher compensation revenue under subdivision 1. The basic alternative teacher compensation aid for a charter school with a plan approved under section 122A.414, subdivisions 2a and 2b, equals \$260 times the number of pupils enrolled in the school on October 1 of the previous year, or on October 1 of the current year for a charter school in the first year of operation, times the ratio of the sum of the alternative teacher compensation aid and alternative teacher compensation levy for all participating school districts to the maximum alternative teacher compensation revenue for those districts under subdivision 1.

(b) Notwithstanding paragraph (a) and subdivision 1, the state total basic alternative teacher compensation aid entitlement must not exceed ~~\$75,840,000 for fiscal year 2016 and \$88,118,000 for fiscal year 2017~~ \$88,985,000 for fiscal year 2022, \$88,985,000 for fiscal year 2023, and \$89,195,000 for fiscal year 2024 and later. The commissioner must limit the amount of alternative teacher compensation aid approved under this section so as not to exceed these limits by not approving new participants or by prorating the aid among participating districts, intermediate school districts, school sites, and charter schools. The commissioner may also reallocate a portion of the allowable aid for the biennium from the second year to the first year to meet the needs of approved participants.

(c) Basic alternative teacher compensation aid for an intermediate district or other cooperative unit equals \$3,000 times the number of licensed teachers employed by the intermediate district or cooperative unit on October 1 of the previous school year.

EFFECTIVE DATE. This section is effective for the entitlement for fiscal year 2023.

Sec. 3. Minnesota Statutes 2020, section 122A.415, is amended by adding a subdivision to read:

Subd. 7. **Revenue uses.** (a) Alternative teacher compensation revenue received under this section must be used for purposes directly aligned with the implementation of the approved plan under section 122A.414, subdivisions 2, paragraph (b), and 2a, if the applicant is a charter school or cooperative.

(b) No more than five percent of the total amount of revenue may be spent on administrative costs.

Sec. 4. Minnesota Statutes 2020, section 122A.415, is amended by adding a subdivision to read:

Subd. 8. **Revenue reserved.** Alternative teacher compensation revenue received under this section must be reserved and used only for the programs authorized in this section.

Sec. 5. Minnesota Statutes 2021 Supplement, section 122A.73, subdivision 2, is amended to read:

Subd. 2. **Grow Your Own district programs.** (a) A school district may apply for a grant for a Professional Educator Licensing and Standards Board-approved teacher preparation program. The grant recipient must use at least 80 percent of grant funds to provide tuition scholarships or stipends to enable school district employees or community members affiliated with a school district, who

are of color or American Indian and who seek a teaching license, to participate in the teacher preparation program. Grant funds may also be used to pay for teacher licensure exams and licensure fees.

(b) A district using grant funds under this subdivision to provide financial support to teacher candidates may require a commitment as determined by the district to teach in the district for a reasonable amount of time that does not exceed five years.

Sec. 6. Minnesota Statutes 2021 Supplement, section 122A.73, subdivision 3, is amended to read:

Subd. 3. **Grants for programs serving secondary school students.** (a) School districts and charter schools may apply for grants to develop innovative expanded Grow Your Own programs that encourage secondary school students to pursue teaching, including developing and offering dual-credit postsecondary course options in schools for "Introduction to Teaching" or "Introduction to Education" courses consistent with Minnesota Statutes, section 124D.09, subdivision 10. In addition to grants for developing and offering dual-credit postsecondary course options in schools for "Introduction to Teaching" or "Introduction to Education" courses under section 124D.09, ~~subdivision 10,~~ a school district or charter school may apply for grants under this section to offer other innovative programs that encourage secondary school students, especially students of color and American Indian students, to pursue teaching. To be eligible for a grant under this subdivision, a school district or charter school must ensure that the aggregate percentage of secondary school students of color and American Indian students participating in the program is equal to or greater than the aggregate percentage of students of color and American Indian students in the school district or charter school.

(b) A grant recipient must use grant funds awarded under this subdivision for:

(1) supporting future teacher clubs or service-learning opportunities that provide middle and high school students with experiential learning that supports the success of younger students or peers and increases students' interest in pursuing a teaching career;

(2) providing secondary courses, including but not limited to dual-credit and postsecondary course options, that encourage secondary school students to pursue teaching careers;

~~(2)~~ (3) providing direct support, including wrap-around services, for students who are of color or American Indian to enroll and be successful in postsecondary enrollment options courses under section 124D.09 that would meet degree requirements for teacher licensure; or

~~(3)~~ (4) offering scholarships to graduating high school students who are of color or American Indian to enroll in board-approved undergraduate teacher preparation programs at a college or university in Minnesota.

Sec. 7. Minnesota Statutes 2021 Supplement, section 122A.73, subdivision 5, is amended to read:

Subd. 5. **Grow Your Own program account.** (a) An account is established in the special revenue fund known as the "Grow Your Own program account."

(b) Funds appropriated for the Grow Your Own program under this section must be transferred to the Grow Your Own program account in the special revenue fund.

(c) Money in the account is annually appropriated to the commissioner for the Grow Your Own program under this section. Any returned funds are available to be regranted. Grant recipients may apply to use grant money over a period of up to 60 months.

(d) Up to ~~\$100,000~~ \$300,000 annually is appropriated to the commissioner for costs associated with administering and monitoring the program under this section.

Sec. 8. [122A.731] GRANTS FOR GROW YOUR OWN EARLY CHILDHOOD EDUCATOR PROGRAMS.

Subdivision 1. Establishment. The commissioner of education must award grants for Grow Your Own Early Childhood Educator programs established under this section in order to develop an early childhood education workforce that more closely reflects the state's increasingly diverse student population and to ensure all students have equitable access to high-quality early educators.

Subd. 2. Grow Your Own Early Childhood Educator programs. (a) Minnesota licensed family child care or licensed center-based child care programs, school district or charter school early learning programs, Head Start programs, institutes of higher education, and other community partnership non-government organizations may apply for a grant to host, build, or expand an early childhood educator preparation program that leads to an individual earning the credential or degree needed to enter or advance in the early childhood education workforce. Examples include programs that help interested individuals earn the Child Development Associate credential, an associate's degree in child development, or a bachelor's degree in early childhood studies or early childhood licensures. Programs must prioritize candidates that represent the demographics of the populations served. The grant recipient must use at least 80 percent of grant funds for student stipends and tuition scholarships.

(b) Programs providing financial support to interested individuals may require a commitment from the individuals awarded, as determined by the program, to teach in the program or school for a reasonable amount of time that does not exceed one year.

Subd. 3. Grant procedure. Eligible programs must apply for a grant under this section in the form and manner specified by the commissioner. To the extent that there are sufficient applications, the commissioner must, to the extent practicable, award an equal number of grants between applicants in greater Minnesota and those in the seven-county metropolitan area.

Subd. 4. Grow Your Own Early Childhood Educator program account. (a) The Grow Your Own Early Childhood Educator program account is established in the special revenue fund.

(b) Funds appropriated for the Grow Your Own Early Childhood Educator program under this section must be transferred to the Grow Your Own Early Childhood Educator program account in the special revenue fund.

(c) Money in the account is annually appropriated to the commissioner for the Grow Your Own Early Childhood Educator program under this section. Any returned funds are available to be regranted. Grant recipients may apply to use grant money over a period of up to 60 months

(d) Up to \$300,000 annually is appropriated to the commissioner for costs associated with administering and monitoring the program under this section.

Subd. 5. **Report.** Grant recipients must annually report to the commissioner in the form and manner determined by the commissioner on their activities under this section, including the number of educators being supported through grant funds, the number of educators obtaining credentials by type, a comparison of the beginning level of education and ending level of education of individual participants, and an assessment of program effectiveness, including participant feedback, areas for improvement, and where applicable, employment changes and current employment status, after completing preparation programs. The commissioner must publish a public report that summarizes the activities and outcomes of grant recipients and what was done to promote sharing of effective practices among grant recipients and potential grant applicants.

Sec. 9. **[122A.732] GRANTS FOR GROW YOUR OWN PROGRAMS IN TEACHER LICENSURE SHORTAGE AREAS.**

Subdivision 1. **Establishment.** The commissioner of education must award grants for Grow Your Own programs established under this section in order to support a teaching workforce in teacher licensure shortage areas.

Subd. 2. **Grow Your Own Programs in teacher licensure shortage areas.** (a) A school district, charter school, intermediate district, or cooperative unit that employs licensed teachers may apply for a grant for a teacher preparation program approved by the Professional Educator Licensing and Standards Board. This board-approved program must support one or more teacher licensure pathways in areas identified as licensure shortage areas by the Professional Educator Licensing and Standards Board to increase the teaching workforce in those areas. Professional Educator Licensing and Standards Board-approved teacher preparation programs, including alternative pathway providers, that support one or more teacher licensure pathways in areas identified as a licensure shortage area by the Professional Educator Licensing Standards Board may also apply for a grant under this section.

(b) At least 80 percent of grant funds must be used to provide tuition scholarships or stipends to enable school employees or community members affiliated with the school to participate in a board-approved teacher preparation program. This includes currently licensed teachers that seek to add an additional license or endorsement that would enable them to fill teaching positions in licensure shortage areas. This does not include programs for school support personnel such as counselors, nurses, and school psychologists.

Subd. 3. **Grant procedure.** Eligible programs must apply for a grant under this section in the form and manner specified by the commissioner. To the extent that there are sufficient applications, the commissioner must, to the extent practicable, award an equal number of grants between applicants in greater Minnesota and those in the seven-county metropolitan area.

Subd. 4. **Grow Your Own licensure shortage area program account.** (a) The Grow Your Own licensure shortage area program account is established in the special revenue fund.

(b) Funds appropriated for the Grow Your Own licensure shortage area program under this section must be transferred to the Grow Your Own licensure shortage area program account in the special revenue fund.

(c) Money in the account is annually appropriated to the commissioner for the Grow Your Own licensure shortage area program under this section. Any returned funds are available to be regranted. Grant recipients may apply to use grant money over a period of up to 60 months.

(d) Up to \$300,000 annually is appropriated to the commissioner for costs associated with administering and monitoring the program under this section.

Subd. 5. **Report.** Grant recipients must annually report to the commissioner in the form and manner determined by the commissioner on their activities under this section. The commissioner must publish a public report that summarizes the activities and outcomes of grant recipients and what was done to promote sharing of effective practices among grant recipients and potential grant applicants.

Sec. 10. Laws 2021, First Special Session chapter 13, article 3, section 7, subdivision 4, is amended to read:

Subd. 4. **Grow Your Own.** (a) For grants to develop, continue, or expand Grow Your Own new teacher programs under Minnesota Statutes, section 122A.73:

\$	6,500,000	.....	2022
	6,500,000		
\$	<u>20,505,000</u>	.....	2023

(b) This appropriation is subject to the requirements under Minnesota Statutes, section 122A.73, subdivision 5.

(c) Any balance in the first year does not cancel but is available in the second year.

(d) The base for fiscal years 2024 and 2025 is \$18,615,000. The base for fiscal year 2026 and later is \$20,890,000.

Sec. 11. Laws 2021, First Special Session chapter 13, article 3, section 7, subdivision 7, is amended to read:

Subd. 7. **Alternative teacher compensation aid.** (a) For alternative teacher compensation aid under Minnesota Statutes, section 122A.415, subdivision 4:

	88,896,000		
\$	<u>88,559,000</u>	.....	2022
	88,898,000		
\$	<u>89,234,000</u>	.....	2023

(b) The 2022 appropriation includes \$8,877,000 for 2021 and ~~\$80,019,000~~ \$79,682,000 for 2022.

(c) The 2023 appropriation includes ~~\$8,891,000~~ \$8,853,000 for 2022 and ~~\$80,007,000~~ \$80,381,000 for 2023.

Sec. 12. **TEMPORARY INCREASE IN TEACHERS RETIREMENT ASSOCIATION EARNINGS LIMITATION.**

For fiscal years 2023, 2024, and 2025, notwithstanding Minnesota Statutes, section 354.44, subdivision 5, the applicable earnings limitation for an individual collecting a retirement annuity is \$92,000.

Sec. 13. ESTABLISHMENT OF A BLIND OR VISUALLY IMPAIRED GRADUATE PROGRAM.

Subdivision 1. Roles to establish a blind or visually impaired graduate program. The commissioner of higher education shall collaborate with the Department of Education to make a grant to an institution of higher education to design, plan, and implement a teacher preparation program leading to licensure as a teacher of the blind or visually impaired, consistent with Minnesota Rules, part 8710.5100.

Subd. 2. Eligibility of grant applicant. Institutions of higher education, as defined under Minnesota Statutes, section 135A.51, subdivision 5, are eligible to apply for the grant.

Subd. 3. Use of funds to establish and implement the program. Grant funds may be used to support faculty costs, institutional overhead and indirect costs, and supervision and college-level costs, in order to establish and implement a program that reaches sufficient tuition recapture and sustainability within five years.

Sec. 14. APPROPRIATIONS.

Subdivision 1. Department of Education. The sums indicated in this section are appropriated from the general fund to the Department of Education for the fiscal years designated.

Subd. 2. Statewide teacher mentor program. (a) For grants to Minnesota regional partners to provide mentoring supports for new teachers as well as on-the-ground training, technical assistance, and networks of practice for local new teachers, school districts, and charter schools to implement Minnesota's induction model. Eligible grantees include but are not limited to institutions of higher education, service cooperatives, district and charter collaboratives, and professional organizations:

\$	0	.....	2022
\$	5,500,000	.....	2023

(b) Of this amount, up to \$500,000 annually is available for contracts with national content experts and research collaboratives to assist in developing Minnesota's induction model and to evaluate the program over time.

(c) Any balance in the first year does not cancel and is available in the second year.

(d) Up to five percent of this appropriation may be retained for grant administration costs.

Subd. 3. Educator career pathway. (a) For grants to districts and charter schools to encourage middle and high school students to become educators by creating new educator career pathway program components in high schools and postsecondary institutions that are primarily focused on but are not limited to disadvantaged and underrepresented populations:

\$ 5,000,000 2023

(b) Of this amount, \$2,965,000 is to establish grants to districts and charter schools to establish educator career pathway program cohorts of high school students. Grant funds must be used for the following purposes:

(1) to develop mentorship and support programs in a cohort-based pathway toward becoming a licensed teacher;

(2) to recruit and retain participants;

(3) to provide experiential learning opportunities including job shadowing, tutoring, and paid work-based learning in the classroom; or

(4) for tuition, fees, and materials for prospective educators enrolled in the postsecondary coursework required to become a licensed teacher in Minnesota. Grantees must create partnerships with institutions of higher education.

(c) Of this amount, \$765,000 is for districts and charter schools to establish tuition incentives for high school teachers to obtain credentials for teaching concurrent enrollment courses. Grant applications must be evaluated in part based on the need for educators qualified to teach concurrent enrollment courses.

(d) Of this amount, \$765,000 is to establish matching funds to school districts and charter schools for the development of an educator internship pilot program. Grant funds may be used to develop programming and compensate teachers, mentors, teacher candidates, student teachers, and educator interns. Grantees must create partnerships with institutions of higher education.

(e) Of this amount, \$305,000 is to support data analysis to track research outcomes and effective practices in supporting educators.

(f) Eligible grantees include school districts, charter schools, intermediate school districts, and cooperative units as defined in Minnesota Statutes, section 123A.24, subdivision 2.

(g) Any balance in the first year does not cancel and is available in the second year.

(h) Up to four percent of this appropriation may be retained for grant administration costs.

Subd. 4. **Paraprofessional training reimbursement.** (a) For paraprofessional training and exam reimbursement:

\$ 0 2022
\$ 15,000,000 2023

(b) The commissioner of education must establish a process for public school districts, charter schools, intermediate districts, and education cooperatives to seek reimbursement for expenses related to training for special education paraprofessionals and for fees related to exams that are prerequisites for employment in a paraprofessional position in Minnesota school systems.

(c) Eligible entities seeking reimbursement are encouraged to recruit former adult basic education program graduates to serve as paraprofessionals.

(d) Up to two percent of this appropriation may be retained for administration costs.

Subd. 5. **Teacher retention bonuses.** (a) For providing retention bonuses to teachers who are new to the profession:

\$	<u>0</u>	.....	<u>2022</u>
\$	<u>3,750,000</u>	.....	<u>2023</u>

(b) The commissioner must establish a process to identify eligible teachers to receive retention bonuses in this program.

(c) The commissioner must prioritize teachers of color and American Indian teachers, teachers filling licensure shortage areas, and teachers from low-income backgrounds.

(d) The employer of the eligible teacher must offer the stipend and request reimbursement from the department using a process established by the department.

(e) A retention bonus must be in addition to the local salary agreement.

(f) Reimbursements for eligible teachers must meet the following requirements:

(1) \$1,000 awarded to first-year teachers who successfully complete their first year of employment and are returning for a second year.

(2) \$2,000 awarded to the same cohort of teachers who successfully complete their second year of employment and are returning for a third year.

(3) \$4,500 awarded to the same cohort of teachers who successfully complete their third year of employment and are returning for a fourth year.

(g) This appropriation is available until June 30, 2025.

(h) The department may retain up to five percent of the appropriation amount to monitor and administer the program.

Subd. 6. **Early childhood family education licensure grant.** (a) For a grant to the University of Minnesota to provide scholarships for prospective teachers enrolled in the parent and family education licensure program to cover the cost of attendance in the program:

\$	<u>0</u>	.....	<u>2022</u>
\$	<u>177,000</u>	.....	<u>2023</u>

(b) The commissioner may award additional grants to other postsecondary institutions with parent and family education licensure programs if funds are available.

(c) A grant application must at least include:

(1) the in-kind, coordination, and mentorship services to be provided by the postsecondary institution;

(2) the process for identifying and recruiting prospective teachers who represent known parent and family education teacher licensure shortage areas, both demographic and geographic;

(3) the process for coordinating with school districts to support prospective teachers in completing a licensure program or working in an early childhood family education program; and

(4) the process for prioritizing and awarding scholarships to students.

(d) A grant recipient must report in a form and manner determined by the commissioner on their activities under this subdivision, including the number of participants; the percentage of participants who are of color or American Indian; the percentage of participants who reside in, or will be employed in, school districts located in the rural equity region as defined in Minnesota Statutes, section 126C.10, subdivision 28; an assessment of program effectiveness, including participant feedback and areas of improvement; the percentage of participants continuing to pursue parent and family education licensure; and where applicable, the number of participants hired in a district as parent and family education teachers after completing the preparation program.

(e) The base for fiscal year 2024 is \$177,000. The base for fiscal year 2025 is \$0.

Subd. 7. **American Indian history and culture.** (a) For implementation of the American Indian history and culture relicensure requirement under Minnesota Statutes, section 122A.187, subdivision 7. The commissioner may transfer funds to the Professional Educator Licensing and Standards Board as necessary:

\$	<u>0</u>	.....	<u>2022</u>
\$	<u>86,000</u>	.....	<u>2023</u>

(b) The base is \$60,000 for fiscal year 2024 and later.

Subd. 8. **Blind or visually impaired graduate program.** (a) For a grant to an institution of higher education to design, plan, and implement a teacher preparation program under section 13. The commissioner may transfer funds to the Office of Higher Education as necessary:

\$	<u>0</u>	.....	<u>2022</u>
\$	<u>700,000</u>	.....	<u>2023</u>

(b) The Department of Education or Office of Higher Education may retain up to five percent of the appropriation amount to monitor and administer the grant program.

(c) The base for fiscal year 2028 is \$0.

Subd. 9. **Grow Your Own Early Childhood Educator programs.** (a) For grants to develop, continue, or expand the Grow Your Own Early Childhood Educator program under Minnesota Statutes, section 122A.731:

\$	<u>0</u>	.....	<u>2022</u>
\$	<u>3,860,000</u>	.....	<u>2023</u>

(b) This appropriation is subject to the requirements under section 122A.731, subdivision 4.

(c) The base is \$3,805,000 for fiscal year 2024.

Subd. 10. **Grow Your Own licensure shortage area programs.** (a) For grants to support the Grow Your Own licensure shortage area program under Minnesota Statutes, section 122A.732:

\$	0	.....	2022
\$	3,860,000	.....	2023

(b) This appropriation is subject to the requirements under section 122A.732, subdivision 4.

(c) The base is \$3,805,000 for fiscal year 2024.

Subd. 11. **Reimbursements for teacher licensing exams and fees.** (a) For reducing financial burdens for aspiring teachers by funding costs associated with Minnesota teacher licensing exams and first professional teacher license fees for newly graduated teachers:

\$	2,275,000	2023
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(b) The commissioner must establish a process for newly licensed teachers to be reimbursed for expenses related to:

(1) application fees to the board for initial licensure; and

(2) exam fees for required licensure exams to obtain a teaching license in Minnesota.

(c) The base for fiscal years 2024 and 2025 is \$2,275,000. The base for fiscal year 2026 and later is \$0.

ARTICLE 5

SPECIAL EDUCATION

Section 1. Minnesota Statutes 2020, section 125A.03, is amended to read:

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

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

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

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

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

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

(b) Notwithstanding any age limits in laws to the contrary, special instruction and services must be provided from birth until ~~July 1~~ after the child with a disability becomes ~~21~~ 22 years old but shall not extend beyond secondary school or its equivalent, except as provided in section 124D.68, subdivision 2. Local health, education, and social service agencies must refer children under age five who are known to need or suspected of needing special instruction and services to the school district. Districts with less than the minimum number of eligible children with a disability as determined by the commissioner must cooperate with other districts to maintain a full range of programs for education and services for children with a disability. This section does not alter the compulsory attendance requirements of section 120A.22.

(c) At the board's discretion, a school district that participates in a reciprocity agreement with a neighboring state under section 124D.041 may enroll and provide special instruction and services to a child from an adjoining state whose family resides at a Minnesota address as assigned by the United States Postal Service if the district has completed child identification procedures for that child to determine the child's eligibility for special education services, and the child has received developmental screening under sections 121A.16 to 121A.19.

Sec. 2. [125A.081] LIFE AND VOCATIONAL SKILLS SPECIAL EDUCATION SECONDARY TRANSITION.

Subdivision 1. **Definitions.** For purposes of this section, "life and vocational skills" means skills to live and work as independently as possible within the community, as provided under section 125A.08, paragraph (b), clause (1).

Subd. 2. **Purpose.** The purpose of this program is to improve the capacity of special education secondary transition programs serving students with disabilities who are ages 18 through 21 years old to provide life skills and vocational skills instruction that support students with disabilities in acquiring the life and vocational skills they need to live inclusively in communities, including in postsecondary education and competitive integrated employment of their choice.

Subd. 3. **Goals.** Each applicant for a grant awarded by the commissioner of education must include in the grant application a statement of the goals of the education program and grant funds. To the extent practicable, the goals must be aligned with world's best workforce and the Olmstead plan.

Subd. 4. **Strategies and data.** Each applicant must include in the grant application a description of the strategies that will be used to meet the goals specified in the application. The applicant must also include a plan to collect data to measure the effectiveness of the strategies outlined in the grant application.

Subd. 5. **Report required.** Within 180 days of the end of the grant period, each grant recipient must compile a report that describes the data that was collected and evaluate the effectiveness of the strategies. The evidence-based report may identify or propose alternative strategies based on the results of the data. The report must be submitted to the commissioner of education and to the chairs and ranking minority members of the legislative committees with jurisdiction over prekindergarten through grade 12 education. The report must be filed with the Legislative Reference Library according to section 3.195.

Subd. 6. **Eligibility for life and vocational skills aid.** A school district under chapter 123B, charter school under chapter 124E, or Tribal school under section 124D.83, is eligible for a grant if it is participating in the employment capacity-building cohort as part of the Olmstead plan.

Subd. 7. **Uses of life and vocational skills secondary special education transition grants.** Life and vocational skills secondary special education transition grant funds must be used to implement evidence-based life skills and vocational skills instruction for students with disabilities who are ages 18 through 21 years old under section 125A.02.

Sec. 3. Minnesota Statutes 2020, section 125A.76, subdivision 2e, is amended to read:

Subd. 2e. **Cross subsidy reduction aid.** (a) A school district's annual cross subsidy reduction aid equals the school district's initial special education cross subsidy for the previous fiscal year times the cross subsidy aid factor for that fiscal year.

(b) The cross subsidy aid factor equals ~~2.6 percent for fiscal year 2020 and~~ 6.43 percent for fiscal year 2021 and 2022. The cross subsidy aid factor equals 12.14 percent for fiscal year 2023 and later.

EFFECTIVE DATE. This section is effective for revenue for fiscal year 2023 and later.

Sec. 4. **[125A.81] ADDITIONAL STATE FUNDING TO SPECIAL EDUCATION SEPARATE SITES AND PROGRAMS.**

Subdivision 1. **Definition.** For purposes of this section, "special education separate site or program" means a public separate day school facility attended by students with disabilities for 50 percent or more of their school day.

Subd. 2. **Eligibility for additional state funding to special education separate sites and programs.** An education cooperative under section 471.59, education district under section 123A.15, service cooperative under section 123A.21, or intermediate school district under section 136D.01 qualifies for additional state funding to special education sites and programs for every kindergarten through grade 12 child with a disability, as defined in section 125A.02, served in a special education site or program as defined in subdivision 1.

Subd. 3. **Uses of additional state funding to special education separate sites and programs.** Additional state funding to special education separate sites and programs under this section may be used for the same purposes as are permitted for state special education aid under section 125A.76.

Subd. 4. **Additional state aid to special education separate sites and programs.** For fiscal year 2023 and later, additional state funding to special education separate sites and programs equals

\$1,689 times the adjusted kindergarten through grade 12 pupil units served in special education separate sites and programs under subdivision 1.

EFFECTIVE DATE. This section is effective for revenue for fiscal year 2023 and later.

Sec. 5. Laws 2021, First Special Session chapter 13, article 5, section 3, subdivision 2, is amended to read:

Subd. 2. **Special education; regular.** For special education aid under Minnesota Statutes, section 125A.75:

	1,822,998,000		
\$	<u>1,748,169,000</u>	.....	2022
	1,945,533,000		
\$	<u>1,934,066,000</u>	.....	2023

The 2022 appropriation includes \$215,125,000 for 2021 and ~~\$1,607,873,000~~ \$1,533,044,000 for 2022.

The 2023 appropriation includes ~~\$226,342,000~~ \$215,808,000 for 2022 and ~~\$1,719,191,000~~ \$1,718,258,000 for 2023.

Sec. 6. **SPECIFIC LEARNING DISABILITY; RULEMAKING.**

(a) The commissioner of education must begin the rulemaking process to amend Minnesota Rules, part 3525.1341, and establish a stakeholder workgroup to review current specific learning disabilities criteria by December 31, 2022. By June 20, 2023, the workgroup must make recommendations aligned with related state and federal requirements, including:

(1) removing discrepancy from criteria;

(2) developing a plan to operationalize changes to criteria to align with current best practices and address concerns of multiple stakeholder groups, including but not limited to administrators, parents, educators, researchers, related services staff, advocates, lawyers, and minority and immigrant groups;

(3) providing definitions and clarification of terms and procedures within existing requirements;

(4) establishing the accountability process, including procedures and targets, for districts and cooperatives to use in evaluating their progress toward implementation of the amended rule; and

(5) developing an evaluation framework for measuring intended and unintended results of amended criteria. Intended and unintended results may include overidentification and underidentification of minorities, delays to referral and identification, transitioning from developmental delay to specific learning disability, consistency of identification across districts and the state, adding unnecessary paperwork, limiting team decision making, or limiting access and progress with intensive and individualized special education support.

(b) Following the development of recommendations from the stakeholder workgroup, the commissioner must proceed with the rulemaking process and recommended alignment with other existing state and federal law completed by June 30, 2024.

(c) Concurrent with rulemaking, the commissioner must establish technical assistance and training capacity on the amended criteria, and training and capacity building must begin upon final approval of the amended rule through June 30, 2029.

(d) The amended rule must go into full effect no later than five years after the proposed revised rules are approved by the administrative law judge.

Sec. 7. **APPROPRIATIONS.**

Subdivision 1. **Department of Education.** The sums indicated in this section are appropriated from the general fund to the commissioner of education for the fiscal years designated.

Subd. 2. **Life and vocational skills special education and secondary transition.** (a) For life and vocational skills special education secondary transition grants under Minnesota Statutes, section 125A.081:

§ 1,000,000 2023

(b) The commissioner must consider grant applications from schools located in greater Minnesota and from schools located in the seven-county metropolitan area.

Subd. 3. **Additional state funding to special education separate sites and programs.** For additional state funding to special education separate sites and programs under Minnesota Statutes, section 125A.81:

§ 5,071,000 2023

ARTICLE 6

FACILITIES

Section 1. Minnesota Statutes 2020, section 123B.595, subdivision 1, is amended to read:

~~Subdivision 1. **Long-term facilities maintenance revenue.** (a) For fiscal year 2017 only, long-term facilities maintenance revenue equals the greater of (1) the sum of (i) \$193 times the district's adjusted pupil units times the lesser of one or the ratio of the district's average building age to 35 years, plus the cost approved by the commissioner for indoor air quality, fire alarm and suppression, and asbestos abatement projects under section 123B.57, subdivision 6, with an estimated cost of \$100,000 or more per site, plus (ii) for a school district with an approved voluntary prekindergarten program under section 124D.151, the cost approved by the commissioner for remodeling existing instructional space to accommodate prekindergarten instruction, or (2) the sum of (i) the amount the district would have qualified for under Minnesota Statutes 2014, section 123B.57, Minnesota Statutes 2014, section 123B.59, and Minnesota Statutes 2014, section 123B.591, and (ii) for a school district with an approved voluntary prekindergarten program under section 124D.151, the cost approved by the commissioner for remodeling existing instructional space to accommodate prekindergarten instruction.~~

~~(b) For fiscal year 2018 only, long-term facilities maintenance revenue equals the greater of (1) the sum of (i) \$292 times the district's adjusted pupil units times the lesser of one or the ratio of the district's average building age to 35 years, plus (ii) the cost approved by the commissioner for indoor air quality, fire alarm and suppression, and asbestos abatement projects under section 123B.57, subdivision 6, with an estimated cost of \$100,000 or more per site, plus (iii) for a school district with an approved voluntary prekindergarten program under section 124D.151, the cost approved by the commissioner for remodeling existing instructional space to accommodate prekindergarten instruction, or (2) the sum of (i) the amount the district would have qualified for under Minnesota Statutes 2014, section 123B.57, Minnesota Statutes 2014, section 123B.59, and Minnesota Statutes 2014, section 123B.591, and (ii) for a school district with an approved voluntary prekindergarten program under section 124D.151, the cost approved by the commissioner for remodeling existing instructional space to accommodate prekindergarten instruction.~~

~~(e) (a) For fiscal year 2019 2022 and later, long-term facilities maintenance revenue equals the greater of (1) the sum of (i) \$380 the long-term facilities maintenance allowance times the district's adjusted pupil units times the lesser of one or the ratio of the district's average building age to 35 years, plus (ii) the cost approved by the commissioner for indoor air quality, fire alarm and suppression, and asbestos abatement projects under section 123B.57, subdivision 6, with an estimated cost of \$100,000 or more per site, plus (iii) for a school district with an approved voluntary prekindergarten program under section 124D.151, the cost approved by the commissioner for remodeling existing instructional space to accommodate prekindergarten instruction, or (2) the sum of (i) the amount the district would have qualified for under Minnesota Statutes 2014, section 123B.57, Minnesota Statutes 2014, section 123B.59, and Minnesota Statutes 2014, section 123B.591, and (ii) for a school district with an approved voluntary prekindergarten program under section 124D.151, the cost approved by the commissioner for remodeling existing instructional space to accommodate prekindergarten instruction.~~

~~(b) The long-term facilities maintenance allowance is \$380 for fiscal years 2022 and 2023. For fiscal year 2024 and later, the long-term facilities maintenance allowance equals the product of \$380 times the ratio of the formula allowance under section 126C.10, subdivision 2, for the current fiscal year to the formula allowance under section 126C.10, subdivision 2, for fiscal year 2023.~~

~~(d) (c) Notwithstanding paragraphs (a); and (b), and (e), a school district that qualified for eligibility under Minnesota Statutes 2014, section 123B.59, subdivision 1, paragraph (a), for fiscal year 2010 remains eligible for funding under this section as a district that would have qualified for eligibility under Minnesota Statutes 2014, section 123B.59, subdivision 1, paragraph (a), for fiscal year 2017 and later.~~

EFFECTIVE DATE. This section is effective for revenue for fiscal year 2023 and later.

Sec. 2. Minnesota Statutes 2020, section 123B.595, subdivision 2, is amended to read:

Subd. 2. **Long-term facilities maintenance revenue for a charter school.** ~~(a) For fiscal year 2017 only, long-term facilities maintenance revenue for a charter school equals \$34 times the adjusted pupil units.~~

~~(b) For fiscal year 2018 only, long-term facilities maintenance revenue for a charter school equals \$85 times the adjusted pupil units.~~

~~(e)~~ (a) For fiscal year ~~2019~~ 2022 and later, long-term facilities maintenance revenue for a charter school equals ~~\$132~~ the long-term facilities maintenance allowance times the adjusted pupil units.

(b) The long-term facilities maintenance allowance is \$132 for fiscal years 2022 and 2023. For fiscal year 2024 and later, the long-term facilities maintenance allowance equals the product of \$132 times the ratio of the formula allowance under section 126C.10, subdivision 2, for the current fiscal year to the formula allowance under section 126C.10, subdivision 2, for fiscal year 2023.

EFFECTIVE DATE. This section is effective for revenue for fiscal year 2022 and later.

Sec. 3. Minnesota Statutes 2020, section 123B.595, subdivision 7, is amended to read:

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

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

~~(e)~~ (a) For fiscal year ~~2019~~ 2022 and later, a district's long-term facilities maintenance equalization revenue equals the lesser of (1) ~~\$380~~ the long-term facilities maintenance equalization allowance times the adjusted pupil units or (2) the district's revenue under subdivision 1.

(b) The long-term facilities maintenance equalization allowance is \$380 for fiscal years 2022 and 2023. For fiscal year 2024 and later, the long-term facilities maintenance equalization allowance equals the product of \$380 times the ratio of the formula allowance under section 126C.10, subdivision 2, for the current fiscal year to the formula allowance under section 126C.10, subdivision 2, for fiscal year 2023.

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

EFFECTIVE DATE. This section is effective for revenue for fiscal year 2022 and later.

Sec. 4. Laws 2021, First Special Session chapter 13, article 7, section 2, subdivision 3, is amended to read:

Subd. 3. **Long-term facilities maintenance equalized aid.** For long-term facilities maintenance equalized aid under Minnesota Statutes, section 123B.595, subdivision 9:

	108,582,000		
\$	<u>107,837,000</u>	.....	2022
	111,077,000		
\$	<u>110,014,000</u>	.....	2023

The 2022 appropriation includes \$10,660,000 for 2021 and ~~\$97,922,000~~ \$97,177,000 for 2022.

The 2023 appropriation includes ~~\$10,880,000~~ \$10,797,000 for 2022 and ~~\$100,197,000~~ \$99,217,000 for 2023.

ARTICLE 7

NUTRITION AND LIBRARIES

Section 1. Minnesota Statutes 2021 Supplement, section 124D.111, subdivision 1a, is amended to read:

Subd. 1a. **School lunch aid amounts.** ~~Each school year, the state must pay participants in the national school lunch program the amount of 12.5 cents for each full paid and free student lunch and 52.5 cents for each reduced-price lunch served to students.~~

(a) Any Minnesota school that participates in the United States Department of Agriculture National School Lunch Program must provide, at no cost, a federally reimbursable lunch to all enrolled students each school day. A participating school with an Identified Student Percentage at or above the federal percentage determined for all meals to be reimbursed at the free rate must participate in the Community Eligibility Provision.

(b) The department must provide to every Minnesota school providing meals to students under paragraph (a) funding equal to the difference between the federal reimbursement and the average cost of a school meal as annually defined by the United States Department of Agriculture.

Sec. 2. Minnesota Statutes 2021 Supplement, section 124D.111, subdivision 4, is amended to read:

Subd. 4. **No fees.** A participant that receives school lunch aid under this section must make lunch available without charge and must not deny a school lunch to ~~all participating students who qualify for free or reduced-price meals~~ any student, whether or not that student has an outstanding balance in the student's meals account attributable to a la carte purchases or for any other reason.

Sec. 3. Minnesota Statutes 2020, section 124D.1158, subdivision 1, is amended to read:

Subdivision 1. **Purpose.** The purpose of the school breakfast program is to provide affordable morning nutrition to children so that they can effectively learn. Any Minnesota school that participates in the United States Department of Agriculture School Breakfast Program must provide, at no cost, a federally reimbursable breakfast to all enrolled students each school day. Public and nonpublic schools that participate in the federal school breakfast program may receive state breakfast aid. Schools shall encourage all children to eat a nutritious breakfast, either at home or at school, and shall work to eliminate barriers to breakfast participation at school such as inadequate facilities and transportation.

Sec. 4. Minnesota Statutes 2020, section 124D.1158, subdivision 3, is amended to read:

Subd. 3. **Program reimbursement.** ~~Each school year, the state must reimburse each participating school 30 cents for each reduced-price breakfast, 55 cents for each fully paid breakfast served to students in grades 1 to 12, and \$1.30 for each fully paid breakfast served to a prekindergarten student enrolled in an approved voluntary prekindergarten program under section 124D.151 or a kindergarten~~

~~student.~~ The department must provide to all Minnesota schools participating in the federal School Breakfast Program funding equal to the difference between the federal reimbursement and the average cost of a school breakfast as annually defined by the United States Department of Agriculture.

Sec. 5. Minnesota Statutes 2020, section 124D.1158, subdivision 4, is amended to read:

Subd. 4. **No fees.** A school that receives school breakfast aid under this section must make breakfast available without charge to all ~~participating~~ students in grades 1 to 12 ~~who qualify for free or reduced-price meals~~ and to all prekindergarten students enrolled in an approved voluntary prekindergarten program under section 124D.151, early childhood special education students participating in a program authorized under section 124D.151, and all kindergarten students.

Sec. 6. Laws 2021, First Special Session chapter 13, article 8, section 3, subdivision 2, is amended to read:

Subd. 2. **School lunch.** For school lunch aid under Minnesota Statutes, section 124D.111, and Code of Federal Regulations, title 7, section 210.17:

	16,661,000		
\$	<u>14,187,000</u>	.....	2022
	16,954,000		
\$	<u>185,025,000</u>	.....	2023

Sec. 7. Laws 2021, First Special Session chapter 13, article 8, section 3, subdivision 3, is amended to read:

Subd. 3. **School breakfast.** For traditional school breakfast aid under Minnesota Statutes, section 124D.1158:

	11,848,000		
\$	<u>20,000</u>	.....	2022
	12,200,000		
\$	<u>28,953,000</u>	.....	2023

ARTICLE 8

EARLY CHILDHOOD

Section 1. Minnesota Statutes 2020, section 119A.52, is amended to read:

119A.52 DISTRIBUTION OF APPROPRIATION.

(a) The commissioner of education must distribute money appropriated for that purpose to federally designated Head Start programs to expand services and to serve additional low-income children. ~~Migrant and Indian reservation programs must be initially allocated money based on the programs' share of federal funds,~~ which may include costs associated with program operations, infrastructure, or reconfiguration to serve children from birth to age five in center-based services. The distribution must occur in the following order: (1) 10.72 percent of the total Head Start appropriation must be allocated to federally designated Tribal Head Start programs; (2) the Tribal Head Start portion of the appropriation must be allocated to Tribal Head Start programs based on

the programs' share of federal funds; and (3) migrant programs must then be initially allocated funding based on the programs' share of federal funds. The remaining money must be initially allocated to the remaining local agencies based equally on the agencies' share of federal funds and on the proportion of eligible children in the agencies' service area who are not currently being served. A Head Start program must be funded at a per child rate equal to its contracted, federally funded base level at the start of the fiscal year. For all agencies without a federal Early Head Start rate, the state average federal cost per child for Early Head Start applies. In allocating funds under this paragraph, the commissioner of education must assure that each Head Start program in existence in 1993 is allocated no less funding in any fiscal year than was allocated to that program in fiscal year 1993. Before paying money to the programs, the commissioner must notify each program of its initial allocation and how the money must be used. Each program must present a plan under section 119A.535. For any program that cannot utilize its full allocation at the beginning of the fiscal year, the commissioner must reduce the allocation proportionately. Money available after the initial allocations are reduced must be redistributed to eligible programs.

(b) The commissioner must develop procedures to make payments to programs based upon the number of children reported to be enrolled during the required time period of program operations. Enrollment is defined by federal Head Start regulations. The procedures must include a reporting schedule, corrective action plan requirements, and financial consequences to be imposed on programs that do not meet full enrollment after the period of corrective action. Programs reporting chronic underenrollment, as defined by the commissioner, will have their subsequent program year allocation reduced proportionately. Funds made available by prorating payments and allocations to programs with reported underenrollment will be made available to the extent funds exist to fully enrolled Head Start programs through a form and manner prescribed by the department.

(c) Programs with approved innovative initiatives that target services to high-risk populations, including homeless families and families living in homeless shelters and transitional housing, are exempt from the procedures in paragraph (b). This exemption does not apply to entire programs. The exemption applies only to approved innovative initiatives that target services to high-risk populations, including homeless families and families living in homeless shelters, transitional housing, and permanent supportive housing.

Sec. 2. Minnesota Statutes 2020, section 120A.20, subdivision 1, is amended to read:

Subdivision 1. Age limitations; pupils. (a) All schools supported in whole or in part by state funds are public schools. Admission to a public school is free to any person who: (1) resides within the district that operates the school; (2) is under 21 years of age or who meets the requirements of paragraph (c); and (3) satisfies the minimum age requirements imposed by this section. Notwithstanding the provisions of any law to the contrary, the conduct of all students under 21 years of age attending a public secondary school is governed by a single set of reasonable rules and regulations promulgated by the school board.

(b) A person shall not be admitted to a public school: (1) as a public prekindergarten pupil, unless the pupil is at least four years of age as of September 1 of the calendar year in which the school year for which the pupil seeks admission commences; (2) as a kindergarten pupil, unless the pupil is at least five years of age on September 1 of the calendar year in which the school year for which the pupil seeks admission commences; or ~~(2)~~ (3) as a 1st grade student, unless the pupil is at least six years of age on September 1 of the calendar year in which the school year for which the

pupil seeks admission commences or has completed kindergarten; except that any school board may establish a policy for admission of selected pupils at an earlier age under section 124D.02.

(c) A pupil who becomes age 21 after enrollment is eligible for continued free public school enrollment until at least one of the following occurs: (1) the first September 1 after the pupil's 21st birthday; (2) the pupil's completion of the graduation requirements; (3) the pupil's withdrawal with no subsequent enrollment within 21 calendar days; or (4) the end of the school year.

Sec. 3. Minnesota Statutes 2020, section 120A.41, is amended to read:

120A.41 LENGTH OF SCHOOL YEAR; HOURS OF INSTRUCTION.

(a) A school board's annual school calendar must include at least 425 hours of instruction for a kindergarten student without a disability, 935 hours of instruction for a student in grades 1 through 6, and 1,020 hours of instruction for a student in grades 7 through 12, not including summer school. The school calendar for a public prekindergarten student without a disability and a student in an all-day kindergarten must include at least 850 hours of instruction for the school year. ~~The school calendar for a prekindergarten student under section 124D.151, if offered by the district, must include at least 350 hours of instruction for the school year.~~ A school board's annual calendar must include at least 165 days of instruction for a student in grades 1 through 11 unless a four-day week schedule has been approved by the commissioner under section 124D.126.

(b) A school board's annual school calendar may include plans for up to five days of instruction provided through online instruction due to inclement weather. The inclement weather plans must be developed according to section 120A.414.

Sec. 4. Minnesota Statutes 2020, section 121A.19, is amended to read:

121A.19 DEVELOPMENTAL SCREENING AID.

Each school year, the state must pay a district for each child or student screened by the district according to the requirements of section 121A.17. The amount of state aid for each child or student screened shall be: (1) ~~\$75~~ \$98 for a child screened at age three; (2) ~~\$50~~ \$65 for a child screened at age four; (3) ~~\$40~~ \$52 for a child screened at age five or six prior to kindergarten; and (4) ~~\$30~~ \$39 for a student screened within 30 days after first enrolling in a public school kindergarten if the student has not previously been screened according to the requirements of section 121A.17. If this amount of aid is insufficient, the district may permanently transfer from the general fund an amount that, when added to the aid, is sufficient. Developmental screening aid shall not be paid for any student who is screened more than 30 days after the first day of attendance at a public school kindergarten, except if a student transfers to another public school kindergarten within 30 days after first enrolling in a Minnesota public school kindergarten program. In this case, if the student has not been screened, the district to which the student transfers may receive developmental screening aid for screening that student when the screening is performed within 30 days of the transfer date.

Sec. 5. Minnesota Statutes 2020, section 124D.151, as amended by Laws 2021, First Special Session chapter 13, article 9, section 1, is amended to read:

124D.151 VOLUNTARY PUBLIC PREKINDERGARTEN PROGRAM FOR ELIGIBLE FOUR-YEAR-OLD CHILDREN.

Subdivision 1. **Establishment; purpose.** ~~A district, a charter school, a group of districts, a group of charter schools, or a group of districts and charter schools~~ school district, charter school, center-based or family child care provider licensed under section 245A.03, or Head Start agency licensed under section 245A.03 that meets program requirements under subdivision 2, may establish a voluntary public prekindergarten program for eligible four-year-old children. The purpose of a voluntary public prekindergarten program is to prepare children for success as they enter kindergarten in the following year.

Subd. 2. **Program requirements.** ~~(a)~~ A voluntary public prekindergarten program provider must:

(1) provide instruction through play-based learning to foster children's social and emotional development, cognitive development, physical and motor development, and language and literacy skills, including the native language and literacy skills of English learners, to the extent practicable;

~~(2) measure each child's cognitive and social skills~~ assess each child's progress toward the state's early learning standards at program entrance and exit using a commissioner-approved formative measure aligned to the state's early learning standards when the child enters and again before the child leaves the program, screening and progress monitoring measures, and other age-appropriate versions from the state-approved menu of kindergarten entry profile measures; age-appropriate assessment that must be submitted to the department in the form and manner prescribed by the commissioner;

(3) provide comprehensive program content aligned with the state early learning standards, including the implementation of curriculum, assessment, and intentional instructional strategies aligned with the state early learning standards, and kindergarten through grade 3 academic standards;

(4) provide instructional content and activities that are of sufficient length and intensity to address learning needs including offering a program with at least ~~350~~ 850 hours of instruction per school year for a prekindergarten student;

(5) provide voluntary public prekindergarten ~~instructional~~ staff salaries ~~comparable~~ and set salary schedules equivalent to the salaries of local kindergarten through grade 12 instructional staff; public school district elementary school staff with similar credentials and experience for school district and charter public prekindergarten program sites, and to the extent practicable, for Head Start and licensed center and family child care sites;

(6) employ a lead teacher for each voluntary public prekindergarten classroom who has at least a bachelor's degree in early education or a related field no later than July 1, 2028. Teachers employed by an eligible provider for at least three of the last five years immediately preceding July 1, 2022, who meet the necessary content knowledge and teaching skills for early childhood educators, as demonstrated through measures determined by the state, may be employed as a lead teacher. "Lead teacher" means an individual with primary responsibility for the instruction and care of eligible children in a classroom;

~~(6)~~ (7) coordinate appropriate kindergarten transition with families, community-based prekindergarten programs, and school district kindergarten programs; and all mixed-delivery partners within the school district;

~~(7)~~ (8) involve parents in program planning decision-making and transition planning by implementing parent engagement strategies that include culturally and linguistically responsive activities in prekindergarten through third grade that are aligned with early childhood family education under section 124D.13;

~~(8)~~ (9) coordinate with relevant community-based services, including health and social service agencies, to ensure children have access to comprehensive services;

~~(9)~~ (10) coordinate with all relevant school district programs and services including early childhood special education, homeless students, and English learners;

~~(10)~~ (11) ensure staff-to-child ratios of one-to-ten and a maximum group size of 20 children; in school-based programs; staff-to-child ratio and group size as required for center and family child care licensing for center-based and family-based child care sites; and staff-to-child ratio and group size as determined by Head Start standards for Head Start sites; and

~~(11)~~ (12) provide high-quality coordinated professional development, training, and coaching for ~~both~~ school district, Head Start, and ~~community-based early learning~~ licensed center and family-based providers that is informed by a measure of adult-child interactions and enables teachers to be highly knowledgeable in early childhood curriculum content, assessment, native and English language development programs, and instruction; ~~and.~~

~~(12) implement strategies that support the alignment of professional development, instruction, assessments, and prekindergarten through grade 3 curricula.~~

~~(b) A voluntary prekindergarten program must have teachers knowledgeable in early childhood curriculum content, assessment, native and English language programs, and instruction.~~

~~(c) Districts and charter schools must include their strategy for implementing and measuring the impact of their voluntary prekindergarten program under section 120B.11 and provide results in their world's best workforce annual summary to the commissioner of education.~~

Subd. 3. Mixed delivery of services program plan. ~~A district or charter school may contract with a charter school, Head Start or child care centers, family child care programs licensed under section 245A.03, or a community-based organization to provide eligible children with developmentally appropriate services that meet the program requirements in subdivision 2. Components of a mixed-delivery plan include strategies for recruitment, contracting, and monitoring of fiscal compliance and program quality. School districts and charter schools that receive funding for voluntary public prekindergarten programs must develop and submit a mixed delivery program plan to the Department of Education annually by July 1, 2023, and every year thereafter, in a manner and format prescribed by the commissioner. The plan must ensure alignment of all public prekindergarten program providers within the school district boundary in meeting the program requirements in subdivision 2 and must include:~~

(1) a description of the process used to convene and get group agreement among all public prekindergarten program providers within the district boundaries in order to coordinate efforts regarding the requirements in subdivision 2;

(2) a description of the public prekindergarten program providers within the school district boundaries, including but not limited to the name and location of partners, and the number of hours and days per week the program will be offered at each program site;

(3) an estimate of the number of eligible children to be served in the program at each school site or mixed-delivery location;

(4) a plan for recruitment, outreach, and communication regarding the availability of public prekindergarten programming within the community;

(5) coordination and offering of professional development opportunities, as needed;

(6) coordination of the required child assessments, as needed, and continuous quality improvement efforts to ensure quality instruction;

(7) a plan for meeting the needs for any child with an individualized education plan;

(8) a plan to get to salaries equivalent to school staff with comparable credentials and experience;

(9) a detailed plan for transitioning children and families to kindergarten; and

(10) a statement of assurances signed by the superintendent, charter school director, Head Start director, and child care program director or owner that the proposed program meets the requirements of subdivision 2. A statement of assurances must be submitted in the mixed delivery program plan and must be signed by an individual from each public prekindergarten program provider with authority to enter into the agreement.

Subd. 3a. **Funding.** (a) School district and charter school voluntary public prekindergarten providers are funded based on the number of eligible pupils enrolled as authorized under chapters 124D, 124E, and 126C.

(b) Head Start voluntary public prekindergarten providers that are licensed under section 245A.03 that meet the requirements of subdivisions 2 and 3 must receive \$11,000 per child served per year.

(c) Licensed center and family child care voluntary public prekindergarten providers that are licensed under section 245A.03 and meet the requirements of subdivisions 2 and 3 must receive \$11,000 per child served per year.

(d) The commissioner must establish a process for allocating the seats under paragraphs (b) and (c) that match community strengths, capacity, and needs. The number of seats per year is subject to the availability of appropriations.

(e) Up to 2.5 percent of amounts appropriated for paragraphs (b) and (c) may be used for distribution of funds.

Subd. 4. **Eligibility.** ~~A~~ (a) An eligible child means a child who:

(1) is four years of age as of September 1 in the calendar year in which the school year commences is; and

(2) meets at least one of the following criteria:

(i) qualifies for free or reduced-price meals;

(ii) is an English language learner as defined by section 124D.59, subdivision 2;

(iii) is American Indian;

(iv) is experiencing homelessness;

(v) has an individualized education plan under section 125A.08;

(vi) was identified as having a potential risk factor that may influence learning through health and developmental screening under sections 121A.16 to 121.19;

(vii) is in foster care; kinship care, including children receiving Northstar kinship assistance under chapter 256N; or is in need of child protection services;

(viii) has a parent who is a migrant or seasonal agriculture laborer under section 181.85; or

(ix) has a parent who is incarcerated.

(b) An eligible ~~to~~ child is eligible to participate in a voluntary public prekindergarten program free of charge. An eligible four-year-old child served in a mixed-delivery system by a child care center, family child care program licensed under section 245A.03, or community-based organization Programs may charge a sliding fee for the instructional hours that exceed 850 during the school year, any hours that provide before or after school child care during the school year, or any hours that provide child care during the summer. A child that does not meet the eligibility requirements in paragraph (a), clause (2), may participate in the same classroom as eligible children and may be charged a sliding fee as long as the mixed-delivery partner state funding was not awarded a seat for that child.

(c) Each eligible child must complete a health and developmental screening within 90 days of program enrollment under sections 121A.16 to 121A.19, and provide documentation of required immunizations under section 121A.15.

Subd. 5. Application process; priority for high poverty schools. (a) To qualify for program approval for fiscal year 2017, a district or charter school must submit an application to the commissioner by July 1, 2016. To qualify for program approval for fiscal year 2018 and later, a district or charter school must submit an application to the commissioner by January 30 of the fiscal year prior to the fiscal year in which the program will be implemented. The application must include:

(1) a description of the proposed program, including the number of hours per week the program will be offered at each school site or mixed-delivery location;

(2) an estimate of the number of eligible children to be served in the program at each school site or mixed-delivery location; and

(3) a statement of assurances signed by the superintendent or charter school director that the proposed program meets the requirements of subdivision 2.

(b) The commissioner must review all applications submitted for fiscal year 2017 by August 1, 2016, and must review all applications submitted for fiscal year 2018 and later by March 1 of the fiscal year in which the applications are received and determine whether each application meets the requirements of paragraph (a).

(c) The commissioner must divide all applications for new or expanded voluntary prekindergarten programs under this section meeting the requirements of paragraph (a) and school readiness plus programs into four groups as follows: the Minneapolis and St. Paul school districts; other school districts located in the metropolitan equity region as defined in section 126C.10, subdivision 28; school districts located in the rural equity region as defined in section 126C.10, subdivision 28; and charter schools. Within each group, the applications must be ordered by rank using a sliding scale based on the following criteria:

(1) concentration of kindergarten students eligible for free or reduced-price lunches by school site on October 1 of the previous school year. A school site may contract to partner with a community-based provider or Head Start under subdivision 3 or establish an early childhood center and use the concentration of kindergarten students eligible for free or reduced-price meals from a specific school site as long as those eligible children are prioritized and guaranteed services at the mixed-delivery site or early education center. For school district programs to be operated at locations that do not have free and reduced-price lunch concentration data for kindergarten programs for October 1 of the previous school year, including mixed-delivery programs, the school district average concentration of kindergarten students eligible for free or reduced-price lunches must be used for the rank ordering;

(2) presence or absence of a three- or four-star Parent Aware-rated program within the school district or close proximity of the district. School sites with the highest concentration of kindergarten students eligible for free or reduced-price lunches that do not have a three- or four-star Parent Aware program within the district or close proximity of the district shall receive the highest priority, and school sites with the lowest concentration of kindergarten students eligible for free or reduced-price lunches that have a three- or four-star Parent Aware-rated program within the district or close proximity of the district shall receive the lowest priority; and

(3) whether the district has implemented a mixed-delivery system.

(d) The limit on participation for the programs as specified in subdivision 6 must initially be allocated among the four groups based on each group's percentage share of the statewide kindergarten enrollment on October 1 of the previous school year. Within each group, the participation limit for fiscal years 2018 and 2019 must first be allocated to school sites approved for aid in the previous year to ensure that those sites are funded for the same number of participants as approved for the previous year. The remainder of the participation limit for each group must be allocated among school sites in priority order until that region's share of the participation limit is reached. If the participation limit is not reached for all groups, the remaining amount must be allocated to the highest priority school sites, as designated under this section, not funded in the initial allocation on a statewide basis. For fiscal year 2020 and later, the participation limit must first be allocated to school sites approved for aid in fiscal year 2017, and then to school sites approved for aid in fiscal year 2018 based on the statewide rankings under paragraph (c).

~~(e) Once a school site or a mixed delivery site under subdivision 3 is approved for aid under this subdivision, it shall remain eligible for aid if it continues to meet program requirements, regardless of changes in the concentration of students eligible for free or reduced-price lunches.~~

~~(f) If the total number of participants approved based on applications submitted under paragraph (a) is less than the participation limit under subdivision 6, the commissioner must notify all school districts and charter schools of the amount that remains available within 30 days of the initial application deadline under paragraph (a), and complete a second round of allocations based on applications received within 60 days of the initial application deadline.~~

~~(g) Procedures for approving applications submitted under paragraph (f) shall be the same as specified in paragraphs (a) to (d), except that the allocations shall be made to the highest priority school sites not funded in the initial allocation on a statewide basis.~~

Subd. 6. Participation limits. ~~(a) Notwithstanding section 126C.05, subdivision 1, paragraph (d), the pupil units for a voluntary prekindergarten program for an eligible school district or charter school must not exceed 60 percent of the kindergarten pupil units for that school district or charter school under section 126C.05, subdivision 1, paragraph (e).~~

~~(b) In reviewing applications under subdivision 5, the commissioner must limit the total number of participants in the voluntary prekindergarten and school readiness plus programs under Laws 2017, First Special Session chapter 5, article 8, section 9, to not more than 7,160 participants for fiscal years 2019, 2020, 2021, 2022, and 2023, and 3,160 participants for fiscal years 2024 and later.~~

Subd. 7. Financial accounting. An eligible school district or charter school must record expenditures attributable to voluntary public prekindergarten pupils according to guidelines prepared by the commissioner under section 127A.17. Center-based and family child care providers and Head Start agencies must record expenditures attributable to voluntary public prekindergarten pupils according to guidelines developed and approved by the commissioner of education.

EFFECTIVE DATE. This section is effective for revenue for fiscal year 2023 and later.

Sec. 6. Minnesota Statutes 2020, section 124D.165, subdivision 2, is amended to read:

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

(1) have an eligible child; and

(2) (i) have income equal to or less than 185 percent of federal poverty level income in the current calendar year; ~~or;~~

(ii) be able to document their child's current participation in the free and reduced-price lunch program or Child and Adult Care Food Program, National School Lunch Act, United States Code, title 42, sections 1751 and 1766; the Food Distribution Program on Indian Reservations, Food and Nutrition Act, United States Code, title 7, sections 2011-2036; Head Start under the federal Improving Head Start for School Readiness Act of 2007; Minnesota family investment program under chapter 256J; child care assistance programs under chapter 119B; the supplemental nutrition assistance program; or ~~placement~~

(iii) have a child referred as in need of child protective services or placed in foster care under section 260C.212.

(b) An "eligible child" means a child who has not yet enrolled in kindergarten and is:

~~(1) at least three but not yet five years of age on September 1 of the current school year;~~

~~(2) a sibling from birth to age five of a child who has been awarded a scholarship under this section provided the sibling attends the same program as long as funds are available;~~

~~(3) the child of a parent under age 21 who is pursuing a high school degree or a course of study for a high school equivalency test; or~~

~~(4) homeless, in foster care, or in need of child protective services.~~

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

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

(e) A child from an adjoining state whose family resides at a Minnesota address as assigned by the United States Postal Service, who has received developmental screening under sections 121A.16 to 121A.19, who intends to enroll in a Minnesota school district, and whose family meets the criteria of paragraph (a) is eligible for an early learning scholarship under this section.

Sec. 7. Minnesota Statutes 2020, section 124D.165, subdivision 3, is amended to read:

Subd. 3. **Administration.** (a) The commissioner shall establish application timelines and determine the schedule for awarding scholarships that meets operational needs of eligible families and programs. The commissioner must give highest priority to applications from children who:

(1) are not yet four years of age;

~~(2) have a parent under age 21 who is pursuing a high school diploma or a course of study for a high school equivalency test;~~

~~(3) are in foster care or otherwise;~~

~~(4) have been referred as in need of child protection or services; or~~

(5) have an incarcerated parent; or

~~(6) have experienced homelessness in the last 24 months, as defined under the federal McKinney-Vento Homeless Assistance Act, United States Code, title 42, section 11434a.~~

(b) The commissioner may prioritize applications on additional factors including family income, geographic location, and whether the child's family is on a waiting list for a publicly funded program providing early education or child care services.

~~(b)~~ (c) The commissioner shall establish a target for the average scholarship amount per child based on the results of the rate survey conducted under section 119B.02.

~~(c)~~ A four-star rated program that has children eligible for a scholarship enrolled in or on a waiting list for a program beginning in July, August, or September may notify the commissioner, in the form and manner prescribed by the commissioner, each year of the program's desire to enhance program services or to serve more children than current funding provides. The commissioner may designate a predetermined number of scholarship slots for that program and notify the program of that number. For fiscal year 2018 and later, the statewide amount of funding directly designated by the commissioner must not exceed the funding directly designated for fiscal year 2017. Beginning July 1, 2016, a school district or Head Start program qualifying under this paragraph may use its established registration process to enroll scholarship recipients and may verify a scholarship recipient's family income in the same manner as for other program participants.

(d) the commissioner may establish exploratory efforts to increase parent education and family support services to families receiving early learning scholarships such as including home visits and parent education services.

~~(d)~~ (e) A scholarship is awarded for a 12-month period. If the scholarship recipient has not been accepted and subsequently enrolled in a rated program within ~~ten~~ three months of the awarding of the scholarship, the scholarship cancels and the recipient must reapply in order to be eligible for another scholarship. An extension may be requested if a program is unavailable for the child within the three-month timeline. A child may not be awarded more than one scholarship in a 12-month period.

~~(e)~~ (f) A child who receives a scholarship who has not completed development screening under sections 121A.16 to 121A.19 must complete that screening within 90 days of first attending an eligible program or within 90 days after the child's third birthday if awarded a scholarship under the age of three.

~~(f)~~ For fiscal year 2017 and later, a school district or Head Start program enrolling scholarship recipients under paragraph (e) may apply to the commissioner, in the form and manner prescribed by the commissioner, for direct payment of state aid. Upon receipt of the application, the commissioner must pay each program directly for each approved scholarship recipient enrolled under paragraph (e) according to the metered payment system or another schedule established by the commissioner.

Sec. 8. Minnesota Statutes 2021 Supplement, section 126C.05, subdivision 1, is amended to read:

Subdivision 1. **Pupil unit.** Pupil units for each Minnesota resident pupil under the age of 21 or who meets the requirements of section 120A.20, subdivision 1, paragraph (c), in average daily membership enrolled in the district of residence, in another district under sections 123A.05 to 123A.08, 124D.03, 124D.08, or 124D.68; in a charter school under chapter 124E; or for whom the resident district pays tuition under section 123A.18, 123A.22, 123A.30, 123A.32, 123A.44, 123A.488,

123B.88, subdivision 4, 124D.04, 124D.05, 125A.03 to 125A.24, 125A.51, or 125A.65, shall be counted according to this subdivision.

(a) A prekindergarten pupil with a disability who is enrolled in a program approved by the commissioner and has an individualized education program is counted as the ratio of the number of hours of assessment and education service to 825 times 1.0 with a minimum average daily membership of 0.28, but not more than 1.0 pupil unit.

(b) A prekindergarten pupil who is assessed but determined not to be disabled is counted as the ratio of the number of hours of assessment service to 825 times 1.0.

~~(c) A kindergarten pupil with a disability who is enrolled in a program approved by the commissioner is counted as the ratio of the number of hours of assessment and education services required in the fiscal year by the pupil's individualized education program to 875, but not more than one.~~

~~(d) (c) A prekindergarten pupil who is not included in paragraph (a) or (b) and is enrolled in an approved a voluntary public prekindergarten program under section 124D.151 is counted as the ratio of the number of hours of instruction to 850 times 1.0, but not more than 0.6 pupil units that meets the minimum hours required in section 120A.41 is counted as a 1.0 pupil unit.~~

~~(e) (d) A kindergarten pupil who is not included in paragraph (c) is counted as 1.0 pupil unit if the pupil is enrolled in a free all-day, every day kindergarten program available to all kindergarten pupils at the pupil's school that meets the minimum hours requirement in section 120A.41, or is counted as .55 pupil unit, if the pupil is not enrolled in a free all-day, every day kindergarten program available to all kindergarten pupils at the pupil's school.~~

~~(f) (e) A pupil who is in any of grades 1 to 6 is counted as 1.0 pupil unit.~~

~~(g) (f) A pupil who is in any of grades 7 to 12 is counted as 1.2 pupil units.~~

~~(h) (g) A pupil who is in the postsecondary enrollment options program is counted as 1.2 pupil units.~~

~~(i) For fiscal years 2018 through 2023, a prekindergarten pupil who:~~

~~(1) is not included in paragraph (a), (b), or (d);~~

~~(2) is enrolled in a school readiness plus program under Laws 2017, First Special Session chapter 5, article 8, section 9; and~~

~~(3) has one or more of the risk factors specified by the eligibility requirements for a school readiness plus program;~~

~~is counted as the ratio of the number of hours of instruction to 850 times 1.0, but not more than 0.6 pupil units. A pupil qualifying under this paragraph must be counted in the same manner as a voluntary prekindergarten student for all general education and other school funding formulas.~~

EFFECTIVE DATE. This section is effective for revenue for fiscal year 2023 and later.

Sec. 9. Minnesota Statutes 2021 Supplement, section 126C.05, subdivision 3, is amended to read:

Subd. 3. **Compensation revenue pupil units.** Compensation revenue pupil units must be computed according to this subdivision.

(a) The compensation revenue concentration percentage for each building in a district equals the product of 100 times the ratio of:

(1) the sum of the number of pupils enrolled in the building eligible to receive free lunch plus one-half of the pupils eligible to receive reduced priced lunch on October 1 of the previous fiscal year; to

(2) the number of pupils enrolled in the building on October 1 of the previous fiscal year.

(b) The compensation revenue pupil weighting factor for a building equals the lesser of one or the quotient obtained by dividing the building's compensation revenue concentration percentage by 80.0.

(c) The compensation revenue pupil units for a building equals the product of:

(1) the sum of the number of pupils enrolled in the building eligible to receive free lunch and one-half of the pupils eligible to receive reduced priced lunch on October 1 of the previous fiscal year; times

(2) the compensation revenue pupil weighting factor for the building; times

(3) .60.

(d) Notwithstanding paragraphs (a) to (c), for voluntary prekindergarten programs under section 124D.151, charter schools, and contracted alternative programs in the first year of operation, compensation revenue pupil units shall be computed using data for the current fiscal year. If the voluntary prekindergarten program, charter school, or contracted alternative program begins operation after October 1, compensatory revenue pupil units shall be computed based on pupils enrolled on an alternate date determined by the commissioner, and the compensation revenue pupil units shall be prorated based on the ratio of the number of days of student instruction to 170 days.

~~(e) Notwithstanding paragraphs (a) to (c), for voluntary prekindergarten seats discontinued in fiscal year 2024 due to the reduction in the participation limit under section 124D.151, subdivision 6, those discontinued seats must not be used to calculate compensation revenue pupil units for fiscal year 2024.~~

~~(e)~~ (e) The percentages in this subdivision must be based on the count of individual pupils and not on a building average or minimum.

EFFECTIVE DATE. This section is effective for revenue for fiscal year 2023 and later.

Sec. 10. Minnesota Statutes 2021 Supplement, section 126C.10, subdivision 2d, is amended to read:

Subd. 2d. **Declining enrollment revenue.** (a) A school district's declining enrollment revenue equals the greater of zero or the product of: (1) 28 percent of the formula allowance for that year and (2) the difference between the adjusted pupil units for the preceding year and the adjusted pupil units for the current year.

(b) Notwithstanding paragraph (a), for public prekindergarten programs for fiscal year 2024 2023 only, prekindergarten pupil units under section 126C.05, subdivision 1, paragraph ~~(d)~~ (c), must be excluded from the calculation of declining enrollment revenue.

EFFECTIVE DATE. This section is effective for revenue for fiscal year 2023 and later.

Sec. 11. Minnesota Statutes 2021 Supplement, section 245.4889, subdivision 1, is amended to read:

Subdivision 1. **Establishment and authority.** (a) The commissioner is authorized to make grants from available appropriations to assist:

- (1) counties;
- (2) Indian tribes;
- (3) children's collaboratives under section 124D.23 or 245.493; ~~or~~
- (4) mental health service providers; or
- (5) school districts and charter schools.

(b) The following services are eligible for grants under this section:

(1) services to children with emotional disturbances as defined in section 245.4871, subdivision 15, and their families;

(2) transition services under section 245.4875, subdivision 8, for young adults under age 21 and their families;

(3) respite care services for children with emotional disturbances or severe emotional disturbances who are at risk of out-of-home placement. A child is not required to have case management services to receive respite care services;

(4) children's mental health crisis services;

(5) mental health services for people from cultural and ethnic minorities, including supervision of clinical trainees who are Black, indigenous, or people of color;

(6) children's mental health screening and follow-up diagnostic assessment and treatment;

(7) services to promote and develop the capacity of providers to use evidence-based practices in providing children's mental health services;

(8) school-linked mental health services under section 245.4901;

(9) building evidence-based mental health intervention capacity for children birth to age five;

(10) suicide prevention and counseling services that use text messaging statewide;

(11) mental health first aid training;

(12) training for parents, collaborative partners, and mental health providers on the impact of adverse childhood experiences and trauma and development of an interactive website to share information and strategies to promote resilience and prevent trauma;

(13) transition age services to develop or expand mental health treatment and supports for adolescents and young adults 26 years of age or younger;

(14) early childhood mental health consultation;

(15) evidence-based interventions for youth at risk of developing or experiencing a first episode of psychosis, and a public awareness campaign on the signs and symptoms of psychosis;

(16) psychiatric consultation for primary care practitioners; and

(17) providers to begin operations and meet program requirements when establishing a new children's mental health program. These may be start-up grants.

(c) Services under paragraph (b) must be designed to help each child to function and remain with the child's family in the community and delivered consistent with the child's treatment plan. Transition services to eligible young adults under this paragraph must be designed to foster independent living in the community.

(d) As a condition of receiving grant funds, a grantee shall obtain all available third-party reimbursement sources, if applicable.

Sec. 12. Laws 2021, First Special Session chapter 13, article 9, section 4, subdivision 3, is amended to read:

Subd. 3. **Early learning scholarships.** (a) For the early learning scholarship program under Minnesota Statutes, section 124D.165:

\$	70,709,000	.....	2022
	70,709,000		
\$	<u>126,886,000</u>	.....	2023

(b) This appropriation is subject to the requirements under Minnesota Statutes, section 124D.165, subdivision 6.

(c) Notwithstanding Minnesota Statutes, section 124D.165, for fiscal year 2023 only, the commissioner may allocate funds to Head Start and licensed center and family child care providers as necessary to implement the voluntary public prekindergarten transition year outlined in section 15, including allocating funds under Minnesota Statutes, section 124D.165, as they existed prior to the date of enactment of this act.

(d) The base for fiscal year 2024 is \$124,682,000 and the base for fiscal year 2025 is \$120,656,000.

Sec. 13. Laws 2021, First Special Session chapter 13, article 9, section 4, subdivision 5, is amended to read:

Subd. 5. Early childhood family education aid. (a) For early childhood family education aid under Minnesota Statutes, section 124D.135:

	35,003,000		
\$	<u>34,160,000</u>	.....	2022
	36,478,000		
\$	<u>36,181,000</u>	.....	2023

(b) The 2022 appropriation includes \$3,341,000 for 2021 and ~~\$31,662,000~~ \$30,819,000 for 2022.

(c) The 2023 appropriation includes ~~\$3,518,000~~ \$3,424,000 for 2022 and ~~\$32,960,000~~ \$32,757,000 for 2023.

Sec. 14. Laws 2021, First Special Session chapter 13, article 9, section 4, subdivision 6, is amended to read:

Subd. 6. Developmental screening aid. (a) For developmental screening aid under Minnesota Statutes, sections 121A.17 and 121A.19:

	3,582,000		
\$	<u>3,655,000</u>	.....	2022
	3,476,000		
\$	<u>4,560,000</u>	.....	2023

(b) The 2022 appropriation includes \$360,000 for 2021 and ~~\$3,222,000~~ \$3,295,000 for 2022.

(c) The 2023 appropriation includes ~~\$357,000~~ \$366,000 for 2022 and ~~\$3,119,000~~ \$4,194,000 for 2023.

Sec. 15. **TRANSITION YEAR IN 2023.**

(a) Fiscal year 2023 may serve as a transition year in order to give current voluntary prekindergarten, school readiness plus, and early learning scholarships pathway II programs a year to transition to the new voluntary public prekindergarten program for eligible four-year-old children and to make the necessary adjustments to meet the additional program requirements and facilitate relationships with all public prekindergarten program providers within the school district boundaries.

(b) For fiscal year 2023 only, school districts operating a voluntary prekindergarten program under Minnesota Statutes, section 124D.151, or school readiness plus program under Laws 2017, First Special Session chapter 5, article 8, section 9, may apply to the department of education to allow the program to continue to operate under the provisions of Minnesota Statutes, sections 124D.151 and 126C.05, subdivision 1, as they existed prior to the date of enactment of this act.

Sec. 16. APPROPRIATIONS.

Subdivision 1. Department of Education. The sums indicated in this section are appropriated from the general fund to the Department of Education for the fiscal years designated.

Subd. 2. Mental health services and early childhood social workers. (a) For grants to fund social workers focused solely on early childhood systems that strengthen early childhood programs and improve outcomes for participating children and families.

\$	0	.....	2022
\$	2,500,000	.....	2023

(b) Eligible applicants are school districts and charter schools with early learning programs that may include but are not limited to Head Start, early Head Start, and early intervention programs serving children from birth to kindergarten that:

(1) implement a family partnership process to support family well-being, family safety, health, and economic stability;

(2) offer individualized family partnership services in collaboration with families; and

(3) offer support services in collaboration or colocation with mental health practitioners to provide training, coaching, or skill building to early learning staff and parents.

(c) This appropriation is in addition to any other federal funds a grantee receives for this purpose.

(d) Any balance in the first year does not cancel and is available in the second year.

(e) Up to five percent of this appropriation may be retained for grant administration costs.

Subd. 3. Voluntary public prekindergarten through mixed delivery. (a) For voluntary public prekindergarten provided by Head Start and licensed center and family child care providers under Minnesota Statutes, section 124D.151, subdivision 3a, paragraphs (b) and (c):

\$	96,920,000	2023
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Subd. 4. Infant and early childhood mental health consultation in schools. (a) For transfer to the commissioner of human services for grants to create an early childhood mental health system of care in schools under Minnesota Statutes, section 245.4889, subdivision 1, paragraph (a), clause (5).

\$	0	.....	2022
\$	3,759,000	.....	2023

(b) Of this amount, \$3,350,000 is available for grants. Eligible uses include services under Minnesota Statutes, section 245.4889, subdivision 1, paragraph (b), clause (14).

(c) Any balance in the first year does not cancel and is available in the second year.

ARTICLE 9

COMMUNITY EDUCATION

Section 1. Minnesota Statutes 2020, section 124D.2211, is amended to read:

124D.2211 AFTER-SCHOOL COMMUNITY LEARNING PROGRAMS.

Subdivision 1. **Establishment.** A competitive statewide after-school community learning grant program is established to provide grants to community or nonprofit organizations, political subdivisions, ~~for-profit or nonprofit child care centers,~~ or school-based programs that serve youth after school or during nonschool hours. Grants must be used to offer a broad array of academic enrichment activities that promote positive after-school activities, including art, music, community engagement, literacy, science, technology, engineering, math, health, and recreation programs. The commissioner shall develop criteria for after-school community learning programs that promote partnerships and active collaboration with the schools that participating students attend. The commissioner may award grants under this section to community or nonprofit organizations, American Indian organizations, Tribal nations, political subdivisions, public libraries, or school-based programs that serve youth after school or during nonschool hours.

Subd. 2. ~~Program outcomes~~ **Objectives.** ~~The expected outcomes~~ objectives of the after-school community learning programs are to ~~increase:~~

- ~~(1) school connectedness of participants;~~
- ~~(2) academic achievement of participating students in one or more core academic areas;~~
- ~~(3) the capacity of participants to become productive adults; and~~
- ~~(4) prevent truancy from school and prevent juvenile crime.~~

(1) increase access to comprehensive after-school and summer learning and enrichment opportunities that meet the academic and social-emotional needs of historically underserved students;

(2) promote engagement in learning and connections to school and community; and

(3) encourage school attendance and improve academic performance.

Subd. 3. **Grants.** (a) An applicant ~~shall~~ must submit an after-school community learning program proposal to the commissioner. The submitted ~~plan~~ proposal must include:

~~(1) collaboration with and leverage of existing community resources that have demonstrated effectiveness;~~

~~(2) outreach to children and youth; and~~

~~(3) involvement of local governments, including park and recreation boards or schools, unless no government agency is appropriate.~~

~~Proposals will be reviewed and approved by the commissioner.~~

(1) an assessment of the needs and available resources for the after-school community learning program and a description of how the proposed program will address the needs identified, including how students and families are engaged in the process;

(2) a description of the partnership between a school and another eligible entity;

(3) an explanation of how the proposal will support the objectives identified in subdivision 2, including the use of best practices;

(4) a plan to implement effective after-school practices and provide staff access to professional development opportunities; and

(5) a description of the data the after-school community learning program will use to evaluate the impact of the program.

(b) The commissioner must review proposals and award grants to programs that:

(1) primarily serve historically underserved students; and

(2) provide opportunities for academic enrichment and a broad array of additional services and activities to meet program objectives.

(c) To the extent practicable, the commissioner must award grants equitably among the geographic areas of Minnesota, including rural, suburban, and urban communities.

(d) The commissioner may award grants for two-year periods. A grant awarded to an eligible applicant may not exceed \$300,000.

Subd. 4. **Technical assistance and continuous improvement.** (a) The commissioner must monitor and evaluate the performance of grant recipients to assess the effectiveness of after-school community learning programs in meeting the objectives identified in subdivision 2.

(b) The commissioner must provide technical assistance, capacity building, and professional development to grant recipients, including guidance on effective practices for after-school programs.

Sec. 2. Minnesota Statutes 2020, section 124D.531, subdivision 1, is amended to read:

Subdivision 1. **State total adult basic education aid.** (a) The state total adult basic education aid for fiscal year 2011 equals \$44,419,000, plus any amount that is not paid during the previous fiscal year as a result of adjustments under subdivision 4, paragraph (a), or section 124D.52, subdivision 3. The state total adult basic education aid for later fiscal years equals:

(1) the state total adult basic education aid for the preceding fiscal year plus any amount that is not paid for during the previous fiscal year, as a result of adjustments under subdivision 4, paragraph (a), or section 124D.52, subdivision 3; times

(2) the lesser of:

(i) 1.03; or

(2) the lesser of 1.03 or the greater of:

(i) 1.0;

(ii) one plus the percent change in the formula allowance under section 126C.10, subdivision 2, from the previous fiscal year to the current fiscal year; or

~~(ii)~~ (iii) the average growth in state total contact hours over the prior ten program years.

Three percent of the state total adult basic education aid must be set aside for adult basic education supplemental service grants under section 124D.522.

(b) The state total adult basic education aid, excluding basic population aid, equals the difference between the amount computed in paragraph (a), and the state total basic population aid under subdivision 2.

EFFECTIVE DATE. This section is effective for revenue for fiscal year 2023 and later.

Sec. 3. Minnesota Statutes 2020, section 124D.55, is amended to read:

124D.55 COMMISSIONER-SELECTED HIGH SCHOOL EQUIVALENCY TEST FEES.

~~(a) The commissioner shall pay 60 percent of the fee that is charged to an eligible individual for the full battery of the commissioner-selected high school equivalency tests, but not more than \$40 for an eligible individual.~~

~~(b) Notwithstanding paragraph (a), for fiscal years 2020 and 2021 only,~~ The commissioner shall pay 100 percent of the fee charged to an eligible individual for the full battery of the commissioner-selected high school equivalency tests, but not more than the cost of one full battery of tests per year for any individual.

Sec. 4. Laws 2021, First Special Session chapter 13, article 10, section 1, subdivision 8, is amended to read:

Subd. 8. **Adult basic education aid.** For adult basic education aid under Minnesota Statutes, section 124D.531:

	53,191,000		
\$	<u>51,764,000</u>	.....	2022
	54,768,000		
\$	<u>52,912,000</u>	.....	2023

The 2022 appropriation includes \$5,177,000 for 2021 and ~~\$48,014,000~~ \$46,587,000 for 2022.

The 2023 appropriation includes ~~\$5,334,000~~ \$5,176,000 for 2022 and ~~\$49,434,000~~ \$47,736,000 for 2023.

Sec. 5. Laws 2021, First Special Session chapter 13, article 10, section 1, subdivision 9, is amended to read:

Subd. 9. **High school equivalency tests.** For payment of the costs of the commissioner-selected high school equivalency tests under Minnesota Statutes, section 124D.55:

\$	125,000	.....	2022
	125,000		
\$	<u>470,000</u>	.....	2023

Sec. 6. **APPROPRIATION.**

Subdivision 1. Department of Education. The sums indicated in this section are appropriated from the general fund to the Department of Education for the fiscal years designated.

Subd. 2. After-school program grants. (a) For grants for after-school community learning programs under Minnesota Statutes, section 124D.2211:

\$	<u>5,000,000</u>	<u>2023</u>
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(b) Any balance in the first year does not cancel and is available in the second year.

(c) Up to two percent of this appropriation must be used to contract with Ignite Afterschool to expand a statewide system of continuous program improvement and professional development for funded after-school program providers in accordance with Minnesota Statutes, section 124D.2211, subdivision 4, paragraph (b).

(d) Up to five percent of this appropriation may be retained for administration, monitoring, and providing technical assistance to grant recipients in accordance with Minnesota Statutes, section 124D.2211, subdivision 4.

Subd. 3. Out-of-school time and community partnerships. (a) For grants to organizations that support youth engagement and youth employment and training that are culturally and linguistically appropriate for youth being served:

\$	<u>7,000,000</u>	<u>2023</u>
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(b) Grant fund uses may include but are not limited to:

(1) access to mentors;

(2) career exploration and career pathways programming;

(3) culturally and linguistically appropriate support services; and

(4) community collaborations and partnerships, including partnerships with schools.

(c) Up to ten percent of the appropriation is available to enter into partnerships with existing organizations to provide training and technical assistance to the community-based organizations receiving grant funds to engage in best practices and effectively implement evidence-based programming.

(d) In awarding competitive grants, priority must be given to programs that:

(1) target young people who are experiencing homelessness, in foster care, involved in the juvenile justice system, or disconnected from school and work;

(2) serve youth from communities of color who are underrepresented in the workforce; or

(3) serve youth with disabilities.

(e) Eligible organizations must:

(1) have demonstrated effectiveness in administering youth workforce programs; and

(2) be organizations serving youth with significant capacity and demonstrable youth development experience and outcomes to operate a youth workforce development project.

(f) Any balance in the first year does not cancel and is available in the second year.

(g) Up to five percent of this appropriation may be retained for administration costs.

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

ARTICLE 10

STATE AGENCIES

Section 1. Laws 2021, First Special Session chapter 13, article 11, section 4, subdivision 2, is amended to read:

Subd. 2. **Department.** (a) For the Department of Education:

\$	30,837,000	.....	2022
	26,287,000		
\$	<u>30,199,000</u>	.....	2023

Of these amounts:

(1) \$319,000 each year is for the Board of School Administrators;

(2) \$1,000,000 each year is for regional centers of excellence under Minnesota Statutes, section 120B.115;

(3) \$250,000 each year is for the School Finance Division to enhance financial data analysis;

(4) \$720,000 each year is for implementing Minnesota's Learning for English Academic Proficiency and Success Act under Laws 2014, chapter 272, article 1, as amended;

(5) \$123,000 each year is for a dyslexia specialist;

(6) \$480,000 each year is for the Department of Education's mainframe update;

(7) \$4,500,000 in fiscal year 2022 only is for legal fees and costs associated with litigation; ~~and~~

(8) \$340,000 in fiscal year 2022 and \$2,924,000 in 2023 only are for administration and monitoring of voluntary public prekindergarten programs, including data collection, analysis, and support for providers implementing the assessment required under Minnesota Statutes, section 124D.151. The base for this item is \$2,674,000 in fiscal year 2024 and \$2,784,000 in fiscal year 2025;

(9) \$540,000 in fiscal year 2023 is for costs associated with implementing the specific learning disability criteria change, which may include grants for training; and

(10) \$788,000 in fiscal year 2023 is for costs associated with implementing changes to the school lunch and school breakfast programs in article 6. The base for this item is \$668,000 in fiscal year 2024.

(b) None of the amounts appropriated under this subdivision may be used for Minnesota's Washington, D.C., office.

(c) The expenditures of federal grants and aids as shown in the biennial budget document and its supplements are approved and appropriated and must be spent as indicated.

(d) This appropriation includes funds for information technology project services and support subject to the provisions of Minnesota Statutes, section 16E.21. Any ongoing information technology costs will be incorporated into the service level agreement and will be paid to the Office of MN.IT Services by the Department of Education under the rates and mechanisms specified in that agreement.

(e) To account for the base adjustments provided in Laws 2018, chapter 211, article 21, section 1, paragraph (a), and section 3, paragraph (a), as well as the adjustments in paragraph (a), clauses (8) and (10), the base for fiscal year 2024 ~~and later is \$25,965,000~~ \$29,847,000. The base for fiscal year 2025 is \$29,957,000.

Sec. 2. Laws 2021, First Special Session chapter 13, article 11, section 7, subdivision 1, is amended to read:

Subdivision 1. **Professional Educator Licensing and Standards Board.** (a) The sums indicated in this section are appropriated from the general fund to the Professional Educator Licensing and Standards Board for the fiscal years designated:

\$	2,792,000	.....	2022
	2,839,000		
\$	<u>3,499,000</u>	.....	2023

(b) Any balance in the first year does not cancel but is available in the second year.

(c) \$660,000 in fiscal year 2023 is for enhancements to the educator licensing system to ensure the Professional Educator Licensing and Standards Board may review and approve educator licensing applications in a timely and effective manner.

~~(e)~~ (d) This appropriation includes funds for information technology project services and support subject to Minnesota Statutes, section 16E.21. Any ongoing information technology costs will be incorporated into an interagency agreement and will be paid to the Office of MN.IT Services by the

Professional Educator Licensing and Standards Board under the mechanism specified in that agreement.

(e) The base for fiscal year 2024 and later is \$3,203,000.

ARTICLE 11

FORECAST

A. General Education

Section 1. Laws 2021, First Special Session chapter 13, article 1, section 10, subdivision 3, is amended to read:

Subd. 3. **Enrollment options transportation.** For transportation of pupils attending postsecondary institutions under Minnesota Statutes, section 124D.09, or for transportation of pupils attending nonresident districts under Minnesota Statutes, section 124D.03:

\$	12,000 <u>1,000</u>	.....	2022
\$	13,000 <u>1,000</u>	.....	2023

Sec. 2. Laws 2021, First Special Session chapter 13, article 1, section 10, subdivision 4, is amended to read:

Subd. 4. **Abatement aid.** For abatement aid under Minnesota Statutes, section 127A.49:

	2,897,000		
\$	<u>2,042,000</u>	.....	2022
	3,558,000		
\$	<u>2,003,000</u>	.....	2023

The 2022 appropriation includes \$269,000 for 2021 and ~~\$2,628,000~~ \$1,773,000 for 2022.

The 2023 appropriation includes ~~\$291,000~~ \$197,000 for 2022 and ~~\$3,267,000~~ \$1,806,000 for 2023.

Sec. 3. Laws 2021, First Special Session chapter 13, article 1, section 10, subdivision 5, is amended to read:

Subd. 5. **Consolidation transition aid.** For districts consolidating under Minnesota Statutes, section 123A.485:

\$	309,000	.....	2022
	373,000		
\$	<u>372,000</u>	.....	2023

The 2022 appropriation includes \$30,000 for 2021 and \$279,000 for 2022.

The 2023 appropriation includes ~~\$31,000~~ \$30,000 for 2022 and \$342,000 for 2023.

B. Education Excellence

Sec. 4. Laws 2021, First Special Session chapter 13, article 2, section 4, subdivision 12, is amended to read:

Subd. 12. **Interdistrict desegregation or integration transportation grants.** For interdistrict desegregation or integration transportation grants under Minnesota Statutes, section 124D.87:

	12,310,000		
\$	<u>9,900,000</u>	.....	2022
	14,823,000		
\$	<u>10,974,000</u>	.....	2023

C. Special Education

Sec. 5. Laws 2021, First Special Session chapter 13, article 5, section 3, subdivision 3, is amended to read:

Subd. 3. **Aid for children with disabilities.** For aid under Minnesota Statutes, section 125A.75, subdivision 3, for children with disabilities placed in residential facilities within the district boundaries for whom no district of residence can be determined:

	1,818,000		
\$	<u>1,674,000</u>	.....	2022
	2,010,000		
\$	<u>1,887,000</u>	.....	2023

If the appropriation for either year is insufficient, the appropriation for the other year is available.

Sec. 6. Laws 2021, First Special Session chapter 13, article 5, section 3, subdivision 4, is amended to read:

Subd. 4. **Travel for home-based services.** For aid for teacher travel for home-based services under Minnesota Statutes, section 125A.75, subdivision 1:

	465,000		
\$	<u>356,000</u>	.....	2022
	512,000		
\$	<u>384,000</u>	.....	2023

The 2022 appropriation includes \$23,000 for 2021 and ~~\$442,000~~ \$333,000 for 2022.

The 2023 appropriation includes ~~\$49,000~~ \$36,000 for 2022 and ~~\$463,000~~ \$348,000 for 2023.

Sec. 7. Laws 2021, First Special Session chapter 13, article 5, section 3, subdivision 5, is amended to read:

Subd. 5. **Court-placed special education revenue.** For reimbursing serving school districts for unreimbursed eligible expenditures attributable to children placed in the serving school district by court action under Minnesota Statutes, section 125A.79, subdivision 4:

	24,000		
\$	<u>0</u>	.....	2022
\$	25,000	.....	2023

D. Facilities

Sec. 8. Laws 2021, First Special Session chapter 13, article 7, section 2, subdivision 2, is amended to read:

Subd. 2. **Debt service equalization aid.** For debt service equalization aid under Minnesota Statutes, section 123B.53, subdivision 6:

\$	25,001,000	.....	2022
	24,286,000		
\$	<u>24,315,000</u>	.....	2023

The 2022 appropriation includes \$2,588,000 for 2021 and \$22,413,000 for 2022.

The 2023 appropriation includes \$2,490,000 for 2022 and ~~\$21,796,000~~ \$21,825,000 for 2023.

E. Nutrition

Sec. 9. Laws 2021, First Special Session chapter 13, article 8, section 3, subdivision 4, is amended to read:

Subd. 4. **Kindergarten milk.** For kindergarten milk aid under Minnesota Statutes, section 124D.118:

	656,000		
\$	<u>566,000</u>	.....	2022
	658,000		
\$	<u>659,000</u>	.....	2023

F. Early Education

Sec. 10. Laws 2021, First Special Session chapter 13, article 9, section 4, subdivision 12, is amended to read:

Subd. 12. **Home visiting aid.** (a) For home visiting aid under Minnesota Statutes, section 124D.135:

	462,000		
\$	<u>455,000</u>	.....	2022
	444,000		
\$	<u>426,000</u>	.....	2023

(b) The 2022 appropriation includes \$47,000 for 2021 and ~~\$415,000~~ \$408,000 for 2022.

(c) The 2023 appropriation includes ~~\$46,000~~ \$45,000 for 2022 and ~~\$398,000~~ \$381,000 for 2023.

G. Community Education and Lifelong Learning

Sec. 11. Laws 2021, First Special Session chapter 13, article 10, section 1, subdivision 2, is amended to read:

Subd. 2. **Community education aid.** For community education aid under Minnesota Statutes, section 124D.20:

\$	180,000	.....	2022
	155,000		
\$	<u>175,000</u>	.....	2023

The 2022 appropriation includes \$22,000 for 2021 and \$158,000 for 2022.

The 2023 appropriation includes \$17,000 for 2022 and ~~\$138,000~~ \$158,000 for 2023.

Sec. 12. Laws 2021, First Special Session chapter 13, article 10, section 1, subdivision 5, is amended to read:

Subd. 5. **School-age care aid.** For school-age care aid under Minnesota Statutes, section 124D.22:

	1,000		
\$	<u>0</u>	.....	2022
\$	1,000	.....	2023

The 2022 appropriation includes \$0 for 2021 and ~~\$1,000~~ \$0 for 2022.

The 2023 appropriation includes \$0 for 2022 and \$1,000 for 2023."

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

Pursuant to Rule 7.4, Senator Johnson questioned whether the Wiger amendment was in order. The President ruled the amendment was out of order.

Senator Dziejdzic moved to amend H.F. No. 4300, as amended pursuant to Rule 45, adopted by the Senate April 28, 2022, as follows:

(The text of the amended House File is identical to S.F. No. 4113.)

Page 5, after line 5, insert:

"Sec. 5. Minnesota Statutes 2020, section 121A.425, is amended to read:

121A.425 FULL AND EQUITABLE PARTICIPATION IN ~~PRESCHOOL AND PREKINDERGARTEN~~ EARLY LEARNING.

Subdivision 1. **Disciplinary dismissals prohibited.** (a) A pupil enrolled in the following is not subject to dismissals under this chapter:

(1) a preschool or prekindergarten program, including ~~a child participating in early childhood family education, school readiness, school readiness plus, voluntary prekindergarten, Head Start, or other school-based preschool or prekindergarten program, may not be subject to dismissals under this chapter; or~~

(2) kindergarten through grade 3.

(b) Notwithstanding this subdivision, expulsions and exclusions may be used only after resources outlined in subdivision 2 have been exhausted, and only in circumstances where there is an ongoing serious safety threat to the child or others.

Subd. 2. **Nonexclusionary discipline.** For purposes of this section, nonexclusionary discipline must include at least one of the following:

(1) collaborating with the pupil's family or guardian, child mental health consultant or provider, education specialist, or other community-based support;

(2) creating a plan, written with the parent or guardian, that details the action and support needed for the pupil to fully participate in the current educational program, including a preschool or prekindergarten program; or

(3) providing a referral for needed support services, including parenting education, home visits, other supportive education interventions, or, where appropriate, an evaluation to determine if the pupil is eligible for special education services or section 504 services.

EFFECTIVE DATE. This section is effective July 1, 2022."

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

Senator Johnson questioned whether the amendment was germane.

The President ruled that the amendment was not germane.

Senator Wiger appealed the decision of the President.

The question was taken on "Shall the decision of the President be the judgment of the Senate?"

The roll was called, and there were yeas 35 and nays 31, as follows:

Those who voted in the affirmative were:

Abeler	Dornink	Howe	Limmer	Rarick
Anderson	Draheim	Ingebrigtsen	Mathews	Rosen
Bakk	Duckworth	Jasinski	Miller	Senjem
Benson	Eichorn	Johnson	Nelson	Tomassoni
Chamberlain	Gazelka	Kiffmeyer	Newman	Utke
Coleman	Goggin	Koran	Osmek	Weber
Dahms	Housley	Lang	Pratt	Westrom

Pursuant to Rule 40, Senator Jasinski cast the affirmative vote on behalf of the following Senators: Anderson, Draheim, Gazelka, Goggin, Lang, Limmer, Pratt, Senjem, Tomassoni, and Westrom.

Those who voted in the negative were:

Bigham	Eaton	Johnson Stewart	McEwen	Torres Ray
Carlson	Eken	Kent	Murphy	Wiger
Champion	Fateh	Klein	Newton	Wiklund
Clausen	Frentz	Kunesh	Pappas	
Cwodzinski	Hawj	Latz	Port	
Dibble	Hoffman	López Franzen	Putnam	
Dziedzic	Isaacson	Marty	Rest	

Pursuant to Rule 40, Senator Hawj cast the negative vote on behalf of the following Senators: Cwodzinski, Eaton, Fateh, Kent, Latz, López Franzen, Marty, Newton, Torres Ray, and Wiklund.

So the decision of the President was sustained.

Senator Isaacson moved to amend H.F. No. 4300, as amended pursuant to Rule 45, adopted by the Senate April 28, 2022, as follows:

(The text of the amended House File is identical to S.F. No. 4113.)

Page 1, after line 11, insert:

"Section 1. Minnesota Statutes 2020, section 120B.026, is amended to read:

120B.026 PHYSICAL EDUCATION; ~~EXCLUSION~~ EXCUSAL FROM CLASS; ~~RECESS~~.

A student may be excused from a physical education class if the student submits written information signed by a physician stating that physical activity will jeopardize the student's health. A student may be excused from a physical education class if being excused meets the child's unique and individualized needs according to the child's individualized education program, federal 504 plan, or individualized health plan. A student may be excused if a parent or guardian requests an exemption on religious grounds. A student with a disability must be provided with modifications or adaptations that allow physical education class to meet their needs. ~~Schools are strongly encouraged not to exclude students in kindergarten through grade 5 from recess due to punishment or disciplinary action.~~

EFFECTIVE DATE. This section is effective July 1, 2023."

Page 5, after line 5, insert:

"Sec. 6. **[121A.611] RECESS.**

A teacher, school employee, or other agent of a district or charter school must not exclude a student in elementary school from participation in recess to punish or otherwise discipline the student.

EFFECTIVE DATE. This section is effective July 1, 2023."

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

Senator Chamberlain questioned whether the amendment was germane.

The President ruled that the amendment was not germane.

Senator Isaacson appealed the decision of the President.

The question was taken on "Shall the decision of the President be the judgment of the Senate?"

The roll was called, and there were yeas 35 and nays 30, as follows:

Those who voted in the affirmative were:

Abeler	Dornink	Howe	Limmer	Rarick
Anderson	Draheim	Ingebrigtsen	Mathews	Rosen
Bakk	Duckworth	Jasinski	Miller	Senjem
Benson	Eichorn	Johnson	Nelson	Tomassoni
Chamberlain	Gazelka	Kiffmeyer	Newman	Utke
Coleman	Goggin	Koran	Osmek	Weber
Dahms	Housley	Lang	Pratt	Westrom

Pursuant to Rule 40, Senator Jasinski cast the affirmative vote on behalf of the following Senators: Anderson, Draheim, Gazelka, Goggin, Lang, Limmer, Pratt, Senjem, Tomassoni, and Westrom.

Those who voted in the negative were:

Bigham	Dziedzic	Isaacson	López Franzen	Port
Carlson	Eaton	Johnson Stewart	Marty	Putnam
Champion	Eken	Kent	McEwen	Rest
Clausen	Frentz	Klein	Murphy	Torres Ray
Cwodzinski	Hawj	Kunesh	Newton	Wiger
Dibble	Hoffman	Latz	Pappas	Wiklund

Pursuant to Rule 40, Senator Hawj cast the negative vote on behalf of the following Senators: Cwodzinski, Eaton, Kent, Latz, Marty, Newton, Torres Ray, and Wiklund.

So the decision of the President was sustained.

President Osmek called Senator Mathews to preside.

Senator Kunesh moved to amend H.F. No. 4300, as amended pursuant to Rule 45, adopted by the Senate April 28, 2022, as follows:

(The text of the amended House File is identical to S.F. No. 4113.)

Page 1, before line 12, insert:

"Section 1. Minnesota Statutes 2020, section 120B.024, subdivision 1, is amended to read:

Subdivision 1. **Graduation requirements.** (a) Students ~~beginning 9th grade in the 2011-2012 school year and later~~ must successfully complete the following high school level credits for graduation:

(1) four credits of language arts sufficient to satisfy all of the academic standards in English language arts;

(2) three credits of mathematics, including an algebra II credit or its equivalent, sufficient to satisfy all of the academic standards in mathematics;

(3) an algebra I credit by the end of 8th grade sufficient to satisfy all of the 8th grade standards in mathematics;

(4) three credits of science, including at least one credit of biology, one credit of chemistry or physics, and one elective credit of science. The combination of credits under this clause must be sufficient to satisfy (i) all of the academic standards in either chemistry or physics and (ii) all other academic standards in science;

(5) three and one-half credits of social studies, encompassing at least United States history, geography, ethnic studies, government and citizenship, world history, and economics sufficient to satisfy all of the academic standards in social studies;

(6) one credit of the arts sufficient to satisfy all of the state or local academic standards in the arts; and

(7) a minimum of seven elective credits.

(b) A school district is encouraged to offer a course for credit in government and citizenship to ~~11th or 12th grade~~ students in grade 11 or 12 who begin ~~9th grade~~ 9 in the 2020-2021 school year and later, that satisfies the government and citizenship requirement in paragraph (a), clause (5).

EFFECTIVE DATE. This section is effective for students beginning grade 9 in the 2023-2024 school year and later.

Sec. 2. **[120B.025] ETHNIC STUDIES.**

Subdivision 1. Definition. "Ethnic studies" means the critical and interdisciplinary study of race, ethnicity, and indigeneity with a focus on the experiences and perspectives of people of color within and beyond the United States. Ethnic studies analyzes the ways in which race and racism have been and continue to be powerful social, cultural, and political forces, and the connection of race to other groups of stratification, including gender, class, sexuality, and legal status.

Subd. 2. Requirements. (a) A student beginning grade 9 in the 2024-2025 school year and later must successfully complete a semester-long ethnic studies course to graduate from high school. The course must meet the minimum requirements of the model curriculum under subdivision 6. A district or charter school must offer an ethnic studies course that fulfills the requirements of this paragraph without increasing the number of credits required for graduation under section 120B.024.

(b) School districts and charter schools must provide ethnic studies instruction in elementary schools and middle schools by the 2025-2026 school year in accordance with Department of Education rules on ethnic studies.

(c) Ethnic studies instruction must meet statewide academic standards for ethnic studies curriculum.

(d) An ethnic studies course may focus specifically on a particular group of national or ethnic origin, including Hmong Studies or Somali Studies.

Subd. 3. **Rulemaking.** The commissioner of education must adopt rules for statewide academic standards for ethnic studies curriculum to be required for all kindergarten through grade 12 students. The rules must include a process for implementing standards statewide.

Subd. 4. **School needs assessment.** (a) A school district or charter school must conduct an ethnic studies school needs assessment with students, parents or guardians, and community members to determine the priorities for course selection, implementation, and timeline. The ethnic studies school needs assessment must include qualitative and quantitative components. Qualitative priorities must include a schoolwide listening session or feedback forum with students, parents or guardians, and community members. Quantitative priorities must include a school survey.

(b) A school district or charter school must annually evaluate the implementation of ethnic studies instruction by seeking feedback from students, parents or guardians, and community members. A school district or charter school must report to the commissioner of education in the form and manner determined by the commissioner on plans to modify implementation based on the annual evaluation.

Subd. 5. **Department of Education.** (a) The Department of Education must hire dedicated ethnic studies staff sufficient to fulfill the following department duties:

(1) ensure that each school district or charter school implements ethnic studies courses and curriculum that fulfill ethnic studies standards;

(2) create a model ethnic studies curriculum in accordance with subdivision 6;

(3) support school districts and charter schools in providing training for teachers and school district staff to successfully implement ethnic studies standards;

(4) require each school district or charter school to annually evaluate the implementation of the ethnic studies curriculum by seeking feedback from students, parents or guardians, and community members;

(5) encourage school districts and charter schools to hire a dedicated coordinator for ethnic studies implementation with support from the Department of Education; and

(6) make available to school districts and charter schools the following:

(i) a model ethnic studies curriculum;

(ii) an ethnic studies school survey for each school district and charter school to use as part of a school needs assessment;

(iii) a list of recommended materials, resources, sample curricula, and pedagogical skills for use in kindergarten through grade 12 that accurately reflect the diversity of the state of Minnesota;

(iv) training materials for teachers and district and school staff, including an ethnic studies coordinator, to implement ethnic studies requirements, including a school needs assessment; and

(v) other resources to assist districts and charter schools in successfully implementing ethnic studies standards.

(b) The commissioner must review the ethnic studies standards, once adopted, every ten years. Review of the state standards must include robust community engagement and consultation with stakeholders.

Subd. 6. **Model curriculum.** (a) The Department of Education must create a model ethnic studies curriculum that school districts and charter schools are encouraged to use. The department must encourage school districts and charter schools implementing the model curriculum to use materials authored by members of the community that is the subject of the course. The model curriculum must:

(1) use various forms of pedagogy to meet all students' needs, including participatory or research-based models for real-world connections to the current society;

(2) include a power, race, class, and gender analysis as part of the course via literature, discussion, classwork, and homework as it relates to ethnic studies courses; and

(3) include an intersectional analysis of climate, health, food, housing, education, and policy.

(b) The model ethnic studies curriculum must include the following topics:

(1) Latinx studies;

(2) African American studies;

(3) Asian American studies;

(4) Indigenous or First Nation studies; or

(5) introduction to ethnic studies.

EFFECTIVE DATE. This section is effective July 1, 2022, except subdivision 3, which is effective the day following final enactment."

Page 9, after line 23, insert:

"Sec. 11. **ETHNIC STUDIES TASK FORCE.**

Subdivision 1. **Task force established.** (a) The Ethnic Studies Task Force is established to advise the commissioner of education on ethnic studies standards, curriculum, and resources necessary to implement ethnic studies requirements under Minnesota Statutes, section 120B.025. The commissioner must appoint members of the task force by July 1, 2022, with input from the Minnesota Ethnic Studies Coalition.

(b) The Ethnic Studies Task Force must have 25 members, as follows:

(1) five community members with a demonstrated commitment to ethnic studies;

(2) three public school students in grades 9 to 12;

(3) two public school students in grades 6 to 8;

(4) three parents or guardians of public kindergarten through grade 12 students;

(5) three Minnesota-based, college-level faculty experts in ethnic studies;

(6) three ethnic studies high school teachers;

(7) three ethnic studies grades 6 to 8 teachers; and

(8) three ethnic studies kindergarten to grade 5 teachers.

(c) Demographics of the task force must be inclusive and represent the ethnic and racial diversity of the state, including gender and sexual orientation, immigrant status, and religious and linguistic background.

Subd. 2. **Duties.** (a) The task force must:

(1) develop ethnic studies standards to propose for adoption into existing statewide academic standards for public schools;

(2) recommend professional learning requirements for educators and staff to facilitate the successful implementation of ethnic studies courses;

(3) recommend resources and materials that school districts and charter schools may use to implement ethnic studies standards; and

(4) review the model ethnic studies curriculum developed by the Department of Education under section 120B.025.

(b) The task force must provide to the commissioner of education the ethnic studies standards and recommendations by October 31, 2023, and its approval or recommendations for changes to the model ethnic studies curriculum by July 1, 2024.

Subd. 4. **Meetings and compensation.** (a) The task force must convene on at least a bimonthly basis and must hold the first meeting no later than October 15, 2022.

(b) Members of the task force shall receive a stipend of \$250 per month for their time, work, and expertise.

Subd. 5. **Administration.** The commissioner must provide meeting space and technical assistance for the task force.

Subd. 6. **Statewide academic standards.** The commissioner must adopt the academic standards for ethnic studies curriculum developed by the task force using the expedited rulemaking process in Minnesota Statutes, section 14.389.

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

Sec. 12. **APPROPRIATIONS.**

Subdivision 1. **Department of Education.** The sums indicated in this section are appropriated from the general fund to the Department of Education for the fiscal years designated.

Subd. 2. **Ethnic Studies Task Force.** For the Ethnic Studies Task Force:

\$ 82,000 2023

Subd. 3. **Ethnic studies implementation.** (a) To implement statewide academic standards for ethnic studies curriculum:

\$ 344,000 2023

(b) Of this amount, \$301,000 is for two ethnic studies specialists at the Department of Education to provide support to school districts seeking to establish or strengthen ethnic studies courses.

(c) The base for fiscal year 2024 is \$324,000. The base for fiscal year 2025 is \$301,000.

Subd. 4. **Ethnic studies community consultation.** (a) To consult with community members throughout Minnesota on the development of ethnic studies curriculum, resources, and implementation support:

\$ 100,000 2023

(b) The base for fiscal year 2024 is \$100,000.

Subd. 5. **Ethnic studies school grants.** (a) For competitive grants to school districts and charter schools to develop and implement ethnic studies courses:

\$ 5,000,000 2023

(b) The commissioner must consult with the Ethnic Studies Task Force to develop criteria for the grants.

(c) The base for fiscal year 2024 is \$5,000,000.

EFFECTIVE DATE. This section is effective July 1, 2022."

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

Senator Johnson questioned whether the amendment was germane.

The President ruled that the amendment was not germane.

Senator Johnson moved to amend H.F. No. 4300, as amended pursuant to Rule 45, adopted by the Senate April 28, 2022, as follows:

(The text of the amended House File is identical to S.F. No. 4113.)

Page 8, after line 14, insert:

"Sec. 8. Minnesota Statutes 2020, section 134.355, subdivision 5, is amended to read:

Subd. 5. **Base aid distribution.** ~~Five~~ Fifteen percent of the available aid funds shall be paid to each system as base aid for basic system services.

EFFECTIVE DATE. This section is effective for state aid for fiscal year 2023 and later.

Sec. 9. Minnesota Statutes 2020, section 134.355, subdivision 6, is amended to read:

Subd. 6. **Adjusted net tax capacity per capita distribution.** ~~Twenty-five~~ Fifteen percent of the available aid funds shall be distributed to regional public library systems based upon the adjusted net tax capacity per capita for each member county or participating portion of a county as calculated for the ~~second~~ third year preceding the fiscal year for which aid is provided. Each system's entitlement shall be calculated as follows:

~~(a)~~ (1) multiply the adjusted net tax capacity per capita for each county or participating portion of a county by .0082₂;

~~(b)~~ (2) add sufficient aid funds that are available under this subdivision to raise the amount of the county or participating portion of a county with the lowest value calculated according to ~~paragraph (a)~~ clause (1) to the amount of the county or participating portion of a county with the next highest value calculated according to ~~paragraph (a)~~ clause (1). Multiply the amount of the additional aid funds by the population of the county or participating portion of a county₂;

~~(c)~~ (3) continue the process described in ~~paragraph (b)~~ clause (2) by adding sufficient aid funds that are available under this subdivision to the amount of a county or participating portion of a county with the next highest value calculated in ~~paragraph (a)~~ clause (1) to raise it and the amount of counties and participating portions of counties with lower values calculated in ~~paragraph (a)~~ clause (1) up to the amount of the county or participating portion of a county with the next highest value, until reaching an amount where funds available under this subdivision are no longer sufficient to raise the amount of a county or participating portion of a county and the amount of counties and participating portions of counties with lower values up to the amount of the next highest county or participating portion of a county₂; and

~~(d)~~ (4) if the point is reached using the process in ~~paragraphs (b) and (c)~~ clauses (2) and (3) at which the remaining aid funds under this subdivision are not adequate for raising the amount of a county or participating portion of a county and all counties and participating portions of counties with amounts of lower value to the amount of the county or participating portion of a county with the next highest value, those funds are to be divided on a per capita basis for all counties or participating portions of counties that received aid funds under the calculation in ~~paragraphs (b) and (c)~~ clauses (2) and (3).

EFFECTIVE DATE. This section is effective for state aid for fiscal year 2023 and later.

Sec. 10. Minnesota Statutes 2020, section 134.355, subdivision 7, is amended to read:

Subd. 7. **Population determination.** A regional public library system's population shall be determined according to must be calculated using the most recent estimate available under section 477A.011, subdivision 3, at the time the aid amounts are calculated, which must be by April 1 in the year the calculation is made.

EFFECTIVE DATE. This section is effective for state aid for fiscal year 2023 and later.

Sec. 11. Laws 2021, First Special Session chapter 13, article 8, section 3, subdivision 6, is amended to read:

Subd. 6. **Basic system support.** For basic system support aid under Minnesota Statutes, section 134.355:

\$	13,570,000	.....	2022
	13,570,000		
\$	<u>15,570,000</u>	.....	2023

The 2022 appropriation includes \$1,357,000 for 2021 and \$12,213,000 for 2022.

The 2023 appropriation includes \$1,357,000 for 2022 and ~~\$12,213,000~~ \$14,213,000 for 2023."

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

Pursuant to Rule 7.4, Senator Benson questioned whether the Johnson amendment was in order. The President ruled the amendment was out of order.

President Osmek resumed the Chair.

H.F. No. 4300 was read the third time, as amended, and placed on its final passage.

The question was taken on the passage of the bill, as amended.

The roll was called, and there were yeas 37 and nays 29, as follows:

Those who voted in the affirmative were:

Abeler	Draheim	Ingebrigtsen	Miller	Tomassoni
Anderson	Duckworth	Jasinski	Nelson	Utke
Bakk	Eichorn	Johnson	Newman	Weber
Benson	Gazelka	Kiffmeyer	Osmek	Westrom
Chamberlain	Goggin	Koran	Pratt	Wiger
Coleman	Hoffman	Lang	Rarick	
Dahms	Housley	Limmer	Rosen	
Dornink	Howe	Mathews	Senjem	

Pursuant to Rule 40, Senator Utke cast the affirmative vote on behalf of the following Senators: Abeler, Anderson, Coleman, Draheim, Gazelka, Goggin, Lang, Limmer, Pratt, Rosen, and Tomassoni.

Pursuant to Rule 40, Senator Hawj cast the affirmative vote on behalf of the following Senator: Hoffman.

Those who voted in the negative were:

Bigham	Dziedzic	Isaacson	López Franzen	Port
Carlson	Eaton	Johnson Stewart	Marty	Putnam
Champion	Eken	Kent	McEwen	Rest
Clausen	Fateh	Klein	Murphy	Torres Ray
Cwodzinski	Frentz	Kunesh	Newton	Wiklund
Dibble	Hawj	Latz	Pappas	

Pursuant to Rule 40, Senator Hawj cast the negative vote on behalf of the following Senators: Cwodzinski, Eaton, Fateh, Kent, Latz, Marty, McEwen, Newton, Port, Torres Ray, and Wiklund.

So the bill, as amended, was passed and its title was agreed to.

MEMBERS EXCUSED

Senator Champion was excused from the Session of today from 11:20 to 11:35 a.m. Senator Ruud was excused from the Session of today at 1:50 p.m.

ADJOURNMENT

Senator Miller moved that the Senate do now adjourn until 11:00 a.m., Wednesday, May 4, 2022. The motion prevailed.

Cal R. Ludeman, Secretary of the Senate

