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Chapter 109 – Omnibus Education Policy (S.F. 3567)

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ARTICLE 1 GENERAL EDUCATION

Section 1. School cell phone policy. Requires districts and charter schools to adopt a policy on students' possession and use of cell phones in school by March 15, 2025. Requires the principals' associations to collaborate to make best practices available to schools on strategies to minimize the impact of cell phones on student behavior, mental health, and academic attainment.

Sec. 2. Authorization; notification. Clarifies the reporting requirements when a student withdraws from or doesn't attend a Postsecondary Enrollment Options course for ten consecutive days.

Sec. 3. Digital instruction. Clarifies accessibility requirements for the Online Instruction Act by including section 508 of the federal Rehabilitation Act.

Sec. 4. Supplemental online courses. Includes a provision regarding supplemental online course fees that was part of the Online Learning Option Act but not included in the Online Instruction Act when it was adopted last year.

Sec. 5. Purpose of flexible learning year programs. Requires the commissioner to establish clear criteria for evaluating a district's application to use a four-day school week plan, accept applications for a four-day week plan, and determine whether an application meets the criteria. Requires approval of a four-day plan to remain in effect for at least six years.

Sec. 6. Lease purchase; installment buys. Updates language in the achievement and integration statute for cities of the first class to refer to achievement and integration plans instead of desegregation plans.

Sec. 7. Revisor instruction. Directs the revisor of statutes to remove the term “state-approved” for online options from the care and treatment statutes.

ARTICLE 2 EDUCATION EXCELLENCE

Section 1. Directory information. Allows school districts and charter schools to share specific student data to the Department of Employment and Economic Development to coordinate special education services with pre-employment transition services for students with disabilities.

Sec. 2. Absences from school for religious and cultural observances. Allows for approved absences from school for instruction provided by Tribal spiritual or cultural advisors.

Sec. 3. Required academic standards. Strikes obsolete language related to physical education standards.

Sec. 4 and 5. World language and culture; proficiency certificates. Clarifies the required levels of proficiency for Minnesota bilingual seals.

Sec. 6. Graduation requirements. Delays the government and citizenship course requirement for graduation. Replaces “credits” with “credit” for the physical education graduation requirement.

Sec. 7. School district process for reviewing curriculum, instruction, and student achievement goals; Striving for comprehensive achievement and civic readiness. Renames the world’s best workforce statute. Clarifies purposes of program.

Sec. 8. Planning for students’ successful transition to postsecondary education and employment; personal learning plans. Requires that the annual review and revision of a personal learning plan ensure that the student is on track for graduation.

Sec. 9. Rigorous course taking information; AP, IB, and PSEO. Modifies deadline for the department to report on rigorous course taking. Requires the 2025 report to include data from the 2022-2023 and 2023-2024 school years.

Sec. 10. Assessments. Corrects a cross reference.

Sec. 11. Test administration. Strikes redundant language that is also codified in Minnesota Statutes, section 120B.30, subd. 9.

Sec. 12. Retaliation prohibited. Recodifies language that currently appears in Minnesota Statutes, section 120B.31, subdivision 6 into its own subdivision.

Sec. 13. General requirements; test design. Strikes language added in other sections and obsolete language. Adds language stricken in other sections.

Sec. 14. Assessment reporting requirements. Removes duplicative language. Adds language deleted from the previous section. Allows a school, district, or charter school to provide a student’s parent access to the student’s individual student performance data and achievement report when it is made available to the school, district, or charter school.

Sec. 15. Student performance data. Removes language reported in various other reports to eliminate duplicative work for the Department of Education (MDE).

Sec. 16. School performance reports and public reporting. Modifies the school performance data reporting date to October in years with new performance standards and November with new performance standards for English language proficiency assessments.

Sec. 17 and 18. Prohibition on American Indian mascots. Allows school districts with an American Indian mascot, nickname, logo, letterhead, or team name one additional year, until September 1, 2026, to comply with the prohibition on American Indian mascots. Requires a district with a prohibited mascot and that has not received an exemption to report to the legislature on the district's progress to comply with this section.

Sec. 19. Smudging permitted. Allows an American Indian student or staff member to use tobacco, sage, sweetgrass, and cedar to conduct smudging in a public school.

Sec. 20. Consultation. Requires a school district or charter school to consult the exclusive representative for paraprofessionals regarding special education paraprofessional training requirements.

Sec. 21. Student journalism; student expression. Provides that a student journalist has the right to exercise freedom of speech and freedom of the press in school-sponsored media. Identifies certain student expression that is not authorized or protected under this section. Requires a school district or charter school to adopt and publish a student journalist policy.

Sec. 22. Language access plan. Requires a school district to adopt a language access plan that specifies the district's procedures to render effective language assistance to students and adults who communicate in a language other than English. Requires certain plan components and regular review.

Sec. 23. Boards shall not withhold grades or diplomas for nonpayment of student fees. Clarifies that the protections of the Fee Law for fee debt balances apply to Tribal contract schools.

Sec. 24. Dissemination of information; notification of intent to enroll [PSEO]. Modifies the deadline for a student to inform a district of the student's intent to enroll in postsecondary courses.

Sec. 25. Courses according to agreements. Requires secondary schools and postsecondary institutions that enroll students in PSEO courses according to an agreement (these are courses where the higher education institution and the school district directly contract to provide PSEO courses using higher education faculty to teach the courses) to report to the commissioner the participation rates of students, including the number of students enrolled and the number of courses taken for postsecondary credit.

Sec. 26. Concurrent enrollment advisory board; membership; duties. Requires the advisory board of a postsecondary institution offering courses taught by a secondary teacher to include secondary and postsecondary students, if practical.

Sec. 27. Credits; grade point average weighting policy. Requires a district to adopt the same weighted grade point average policy for credits earned via PSEO as for credits earned via concurrent enrollment coursework.

Sec. 28. Notice. Amends the notification requirements for parents of English Language learners.

Sec. 29. General requirements for programs. Clarifies that the English Language development standards that are required in rules are part of the general program requirements.

Sec. 30. Alternative to publishing. Authorizes certain school districts to publish their official proceedings on the district website instead of publishing them in a newspaper. Expires the special authority August 1, 2026.

Sec. 31. Revisor instruction. Instructs the revisor to make conforming changes related to the renaming of the “world’s best workforce” program.

Sec. 32. Repealer. Repeals Minnesota Statutes, section 120B.31, subdivisions 2 (statewide testing) and 6 (retaliation prohibited).

ARTICLE 3 TEACHERS

Section 1. Reporting. Clarifies the reporting years for the report on educator workforce initiatives designed to increase racial and ethnic diversity.

Sec. 2. Supply and demand report. Clarifies the reporting timeline for the teacher supply and demand report and clarifies that the report must include data regarding teacher licensures, teacher diversity, survey data from school districts and teacher preparation programs, and whether districts are making progress in hiring teachers and substitute teachers in shortage areas.

Sec. 3. Ableism and disability justice. Encourages a teacher preparation program to include instruction for teacher candidates on ableism and disability justice, provided by a person with a disability and expertise related to ableism and disability justice.

Sec. 4. Authority to license. Authorizes the Professional Educator Licensing and Standards Board (PELSB) to collect nonlicensed staff data on behalf of the department, and requires the department to manage the data.

Sec. 5. Special education requirements. Establishes the requirements for PELSB to approve an application for a Tier 1 special education license.

Sec. 6. Professional requirements. Clarifies that a Tier 1 license applicant must have a bachelor's degree unless they meet an exemption in subdivision 2a.

Sec. 7. Special education requirements. Establishes the requirements for PELSB to approve an application for a Tier 2 special education license.

Sec. 8. Coursework. Clarifies that a teacher is recommended for licensure through the licensure via portfolio process instead of granted a license.

Sec. 9. Requirements. Allows a teacher who has completed licensure via portfolio or holds a national board certification to qualify for a Tier 4 license.

Sec. 10. Tests. Exempts a teacher licensure applicant who holds a national board certification from the content and pedagogy exams.

Sec. 11. Testing accommodations. Strikes obsolete language.

Sec. 12. Prohibition on teacher assignment. Requires a school district or charter school to place a teacher in a noninstructional assignment if the teacher is criminally charged with certain offenses.

Sec. 13. Annual contract. Requires a school board to provide written notice to a coach whose contract it declines to renew for the following school year no more than 60 after the end of the regular season for the activity. The notice requirement does not apply if nonrenewal is based on misconduct, failure to perform duties, or district's financial limitations.

Sec. 14. Development, evaluation, and peer coaching for continuing contract teachers. Clarifies that non-first-class city school district teacher development and evaluation must be aligned to the standards of effective practice.

Sec. 15. Development, evaluation, and peer coaching for continuing contract teachers. Clarifies that first-class city school district teacher development and evaluation must be aligned to the standards of effective practice.

Sec. 16. Ableism and disability justice. Encourages a district or charter school to include training on ableism and disability justice provided by a person with a disability and expertise related to ableism and disability justice in professional activities for teachers and certain other staff.

Sec. 17. Definitions. Clarifies the definition of "heritage language and culture teacher" to mean a teacher with a familial connection to their community's language and culture, who is proficient in the language and engaged in the culture and uses this connection to support students as they learn academic content, become proficient in the language, and engage with the culture. Provides a definition of a heritage language and cultural teacher of American Sign Language.

Sec. 18. Heritage language and culture teacher licensure pathway program. Allows PELSB to prioritize program participation by using the top languages spoken by Minnesota students and licensure scarcity.

Sec. 19. Board grants. Expands eligibility for the teacher mentorship grant to include Tribal contract schools.

Sec. 20. Repealer. Repeals Minnesota Statutes, sections 122A.2451, subdivision 9 (alternative teacher preparation report) and 122A.185, subdivision 4 (basic skills exam remedial assistance).

ARTICLE 4 READ ACT

Section 1. Title; The Read Act. Amends the statutory citations for the Read Act.

Sec. 2. Certified trained facilitator. Defines “certified trained facilitator” as a person employed by a school district or regional literacy network who has completed structured literacy training and has completed additional training in providing professional development in structured literacy, among other requirements.

Sec. 3. Literacy specialist. Strikes language that exempts a literacy specialist employed by MDE or by a school district as a literacy lead from the training requirements of the Read Act.

Sec. 4. Oral language. Amends the definition of “oral language” to include sign language.

Sec. 5. Literacy goal. Amends the purpose of the state literacy goal to “meet grade level proficiency.” Clarifies the training timelines by reference to amended language in Minnesota Statutes, section 120B.123, subdivision 5.

Sec. 6. Identification; report. Increases the number of screenings for kindergarten through grade 3 students from two times to three times each school year.

Sec. 7. Parent notification and involvement. Increases the number of screenings for kindergarten through grade 3 students from two times to three times each school year.

Sec. 8. Intervention. Clarifies the requirements for evidence-based literacy interventions beginning in the 2025-2026 school year. Beginning in the 2026-2027 school year, requires that a paraprofessional or other unlicensed person who provides a Tier 2 literacy intervention be supervised by a licensed teacher who has completed certain evidence-based reading instruction and other training.

Sec. 9. Staff development. Makes conforming changes. Clarifies that a district offering early childhood programs must provide early childhood teachers with the approved training.

Sec. 10. Local literacy plan. Requires a district to include information about structured literacy training for teachers and other staff and Read Act funding uses in its local literacy plan, and if applicable, the district’s plan and timeline for adopting approved curricula and materials. Requires the commissioner’s summary report to the legislature on local literacy plans to include information about the number of teachers and other staff required to complete the training that have not been trained and the number of teachers exempt from training. Requires updated reporting in 2026 and 2027.

Sec. 11. Approved screeners. Increases the number of screenings for kindergarten through grade 3 students from two times to three times each school year and requires screeners to be approved by the Department of Education.

Sec. 12. Progress monitoring. Conforming change to correct cross-reference.

Sec. 13. Professional development. Clarifies the types of teachers and staff who must receive training from the district and the phased training schedule for each type of teacher or staff. For the 2024-2025 school year only, allows for a reduction in instructional hours for students in an elementary school to allow teachers to receive the required evidence-based training.

Sec. 14. Department of Education. Requires the Department of Education to partner with CAREI to approve literacy intervention models, subject to final determination by the department. Requires the department to make certain information available about the intervention models and ensure that

the models are reviewed for effectiveness and cultural responsiveness. Requires the department and CAREI to provide ongoing coaching and other support to certified trained facilitators.

Sec. 15. Reconsideration. Modifies the criteria for reconsideration of curricula or professional development programs. Requires the department and CAREI to conduct a final curriculum review by March 3, 2025.

Sec. 16. Ongoing review of literacy materials. Authorizes the department to partner with one or more higher education institutions to conduct reviews of curriculum and intervention materials. Provides for certain administrative processes for the review.

Sec. 17. Comprehensive review of literacy materials. Starting in 2033, authorizes the department to partner with an institution of higher education to conduct a comprehensive review of available curricula and intervention materials. Directs the department to revise the list of approved curricula and supporting materials, and intervention materials based upon the findings of the review.

Sec. 18. Minnesota reading corps program. Requires Minnesota reading corps programs to use evidence-based reading instruction and interventions focused on structured literacy.

Sec. 19. Professional Educator Licensing and Standards Board reading audit report. Requires PELSB to conduct an audit of approved teacher training programs to evaluate whether the programs meet subject matter standards for reading. Requires a report to the legislature.

Sec. 20. Revisor instruction. Directs the revisor of statutes to renumber two sections of the Read Act and make necessary cross-reference changes.

ARTICLE 5 SPECIAL EDUCATION

Section 1. Children birth through age six experiencing developmental delays. Updates the ages related to the definition of developmental delay for early childhood special education to include children age three through age six.

Sec. 2. Individualized education program. Allows a school district to conduct an assessment for developmental adapted physical education as a stand-alone evaluation.

Sec. 3. Eligibility for Part C. Adds a specific reference to Minnesota Rules.

Sec. 4. Requirement. Clarifies that the requirements for alternative instruction before a special education evaluation apply to children in kindergarten through grade 12.

Sec. 5. Special Education Licensure Reciprocity Working Group. Requires PELSB to establish a working group on special education licensure reciprocity. Provides for the working group membership and duties. Requires the working group to submit a report to the legislature by February 1, 2025.

ARTICLE 6 CHARTER SCHOOLS

Section 1. Goal and purposes. Requires a charter school to identify its purposes in the charter contract and to document its implementation of those purposes in its annual report. Requires that this documentation be a component of the authorizer’s performance review of the school.

Sec. 2. Definitions. Aligns the definitions of “charter management organization” (CMO) and “educational management organization” (EMO) to the United States Department of Education framework. Narrows the definition of “immediate family” to mean any relationship by blood, marriage, adoption, or partnership of spouses, parents, grandparents, siblings, children, first cousins, aunts, uncles, grandchildren, nieces, and nephews.

Sec. 3. Certain federal, state, and local requirements. Provides that a charter school must comply with additional requirements relating to the Pupil Fair Dismissal Act.

Sec. 4. English learners. Requires a charter school to adopt a language access plan as though the charter school were a school district.

Sec. 5. Roles, responsibilities, and requirements of authorizers. Establishes statutory duties for a charter school authorizer, including roles relating to charter school autonomy, purpose, and accountability. Provides that an authorizer’s responsibilities include duties relating to charter school formation, contracting, oversight, and evaluation. Requires an authorizer to document certain annual staff training. Requires an authorizer to participate in department-approved training.

Sec. 6. Application process. Technical change to clarify that the application process applies to organizations not yet approved as authorizers.

Sec. 7. Review by commissioner. Requires the commissioner to transmit the authorizer performance report to each school authorized by the authorizer (in addition to the authorizer itself). Requires the commissioner to publish authorizer performance review information at least 12 months before taking effect.

Sec. 8. Individuals eligible to organize. Removes the "statement of assurances" requirement from new charter school applications.

Sec. 9. Authorizer’s affidavit; approval process. Removes redundant required information from the authorizer’s affidavit that is already known to the commissioner from other materials submitted by the authorizer. Provides that the grades and number of primary enrollment sites in an approved affidavit are final and can only be modified by the supplemental affidavit statutory process.

Sec. 10. Adding grades or sites. Clarifies the information that an authorizer is required to submit to the commissioner when a charter school seeks to add additional grades or sites.

Sec. 11. Board of directors. Requires that a charter school’s initial board of directors and school developers comply with certain training requirements upon incorporation of the school. Provides a process to transition from the initial board to the ongoing board of directors. Modifies membership criteria for the ongoing board of directors. Prohibits a person from simultaneously serving on more than one charter school board. Establishes certain charter school board election processes. Requires the board to adopt a nepotism policy. Modifies board member pre-term and annual training

requirements. Requires the board's performance to be annually assessed and reported in the school's annual report.

Sec. 12. Limits on charter school agreements. Extends certain conflict of interest provisions to apply to contracts, leases, or purchases between a charter school and the school's authorizer or a board member, employee, contractor, volunteer, or agent of the school's authorizer. Clarifies that this limitation does not apply to contracts for legal services from a lawyer who is subject to the Minnesota Rules of Professional Conduct.

Sec. 13. Causes for nonrenewal or termination of charter school contract. Requires that a hearing regarding charter school nonrenewal or termination be recorded, and that the authorizer preserve the recording for three years and make the recording available to the public.

Sec. 14. Mutual nonrenewal. Prohibits a pre-operational charter school from changing its authorizer.

Sec. 15. Admission requirements and enrollment. Requires that a school staff member be employed for at least 480 hours in a school year for that staff member's children to receive enrollment preference. Modifies the conditions under which a student's enrollment in a charter school is discontinued.

Sec. 16. Teachers. Prohibits a charter school from contracting with a CMO or EMO to provide necessary teachers.

Sec. 17. Administrators. Requires a charter school board to establish qualifications for all administrative, academic supervision, or instructional leadership positions. Requires certain training for school administrators with and without an administrator's license. Establishes conflict of interest requirements for charter school administrators. Prohibits a charter school administrator from serving on the board of another charter school.

Sec. 18. Conflicts of interest. Prohibits a charter school employee or board member from serving on the board or decision-making committee of the school's authorizer. Requires a school employee or board member to disclose any paid compensation they receive from the school's authorizer.

Sec. 19. Audit report. Strikes language relating to charter school financial management. The stricken language is recodified in a later section.

Sec. 20. Dissemination of information. Requires a charter school to disseminate information about the school to various targeted groups. Requires that these information-sharing activities be documented in the school's annual report and in the authorizer's performance review. Provides that an authorizer must provide certain authorizer financial statements upon request.

Sec. 21. Use of state money. Requires a charter school to adopt a procurement policy. Requires that all purchases using state funds be made consistent with the school's procurement policy. Provides certain policy components. Authorizes the commissioner to reduce a charter school's aid if the school violates its procurement policy. Recodifies certain provisions relating to financial management.

ARTICLE 7 NUTRITION AND LIBRARIES

Section 1. Federal child and adult care food program and federal summer food service program; criteria and notice. Clarifies eligibility for nonprofit multisite sponsoring organizations applying for participation in the federal child and adult care food program or summer food service program.

Sec. 2. Access to library materials and rights protected. Prohibits a public library from banning, removing, or otherwise restricting access to a book or other material based solely on its viewpoint or the messages, ideas, or opinions it conveys. Clarifies that the section does not limit certain legitimate collection management activities. Prohibits certain governing bodies of a public library from disciplining an employee for complying with this section. Requires a library governing body to adopt a library materials policy and requires certain policy components.

Sec. 3. Metropolitan Library Service Agency. Between April 1, 2024, and June 30, 2027, exempts the executive director of MELSA from the general requirement that a chief administrative officer of a regional library system hold a master's degree in library science. Prohibits MELSA from terminating an executive director who begins employment during that time period on the sole basis that the director has not received a master's degree in library science.

ARTICLE 8 HEALTH AND SAFETY

Section 1. Legitimate exceptions. Provides that a student may be excused from school attendance for instruction conducted by a Tribal spiritual or cultural advisor. Clarifies that child medical appointments include appointments conducted through telehealth.

Sec. 2. Mental health education. Requires districts and charter schools to provide mental health instruction for students in grades 4 to 12 aligned with local health standards, starting in the 2026-2027 school year.

Sec. 3. Definition [of health services specialist]. Removes the requirements that the school health services specialist employed at MDE have experience overseeing a budget, supervising personnel, and have a graduate degree in nursing, public health, education, or a related field.

Sec. 4. Access to space for mental health care through telehealth. Requires a school district or charter school to provide high school students with access to private space to receive mental health care via telehealth. Authorizes a student to use a school-issued device to receive mental health care via telehealth. Authorizes the school to require certain consent and information from a student to confirm the student is currently receiving mental health care from a provider. Provides for certain administrative processes.

Sec. 5. Exclusions. Clarifies when drugs or medicine may be administered in emergency school situations, including in the judgement of a licensed nurse.

Sec. 6. Administration. Clarifies that a school may consult with a licensed nurse in developing its policy relating to administration of drugs or medicine.

Sec. 7. Districts and schools permitted to maintain supply. Authorizes registered nurses and licensed practical nurses to administer epinephrine auto-injectors in school settings.

Sec. 8. School [definition for Pupil Fair Dismissal Act]. Clarifies that the Pupil Fair Dismissal Act also applies to charter schools.

Sec. 9. Unscheduled student removal from class; school policy. Encourages a public school to adopt a policy on parental notification if a student was removed from class under unscheduled circumstances. Encourages a nonpublic school or Tribal contract school to adopt a similar policy.

Sec. 10. Eating disorder awareness. Requires the Minnesota State High School League to provide school coaches with eating disorder prevention education resources.

Sec. 11. Facilities and schools. Clarifies MDE's responsibility to screen and investigate allegations of maltreatment involving students 18 through 21 years of age.

ARTICLE 9 EARLY LEARNING

Section 1. Kindergarten [definition]. Strikes language defining a prekindergarten program. The stricken language is recodified in a later section.

Sec. 2. Prekindergarten [definition]. Recodifies a definition of prekindergarten. The definition is stricken in an earlier section and is otherwise unchanged from the current law definition.

Sec. 3. Voluntary prekindergarten program for eligible four-year-old children. Makes programmatic changes to merge the voluntary prekindergarten (VPK) and school readiness plus (SRP) programs. Unifies the program requirements, including requirements related to standards-alignment, assessment, program coordination, teacher licensure, child eligibility, etc. Provides that the commissioner receives applications for participation every four years (under current law, a program may annually apply for participation). Divides the Minneapolis and Saint Paul school districts into distinct seat allocation groups. Authorizes the commissioner to reallocate seats in nonapplication years as necessary. (The provisions relating to allocation of VPK seats are effective immediately. Other provisions are effective July 1, 2025.)

Sec. 4. Family eligibility [for an early learning scholarship]. Extends eligibility for an early learning scholarship to a child whose parent or guardian is in need of child protection or is in foster care.

Section 5. Applications; priorities [for early learning scholarships]. Gives application priority to children who are in a substance use or mental health treatment program, or who have an individualized education program (IEP) or individualized family service plan (IFSP).

Section 6. Revisor instruction. Instructs the revisor of statutes to make technical and conforming changes related to the merger of the voluntary prekindergarten and school readiness plus programs or any other changes required by the act.

Section 7. Repealer. Repeals the school readiness plus program upon the program's merger with the voluntary prekindergarten program.

ARTICLE 10
EDUCATION PARTNERSHIPS AND COMPACTS

Section 1. Establishment; membership [of the P-20 education partnership]. Removes duties from the P-20 partnership relating to the Interstate Compact on Educational Opportunity for Military Children. These duties are transferred to a new council in a later section.

Sec. 2. Military Interstate Children’s Compact State Council. Establishes a standalone state council for the Military Interstate Children’s Compact required under Minnesota Statutes, section 127A.85, Article VIII. Provides for membership and powers and duties of the council. Requires the council to make a biennial legislative report.

Sec. 3. Intrastate student transfers for children of military service members. Provides certain rights and protections for children of Minnesota Army National Guard and Air National Guard members when the children transfer between Minnesota public schools.

Sec. 4. Purple star school designation. Requires the department to designate Purple Star Schools. To achieve designation, a school must apply to the department and satisfy specified criteria, including designating a staff member as a military liaison, maintaining certain information on the school’s website, and offering a program that helps new military-connected students transition into the school. Authorizes the department to begin awarding Purple Star School designations in the 2026-2027 school year.