

1.1 **ARTICLE 40**

1.2 **STATE AGENCIES**

1.3 Section 1. Minnesota Statutes 2016, section 128C.03, is amended to read:

1.4 **128C.03 ELIGIBILITY BYLAWS, POLICIES, AND PROCEDURES.**

1.5 **Subdivision 1. Public input and access to proposed eligibility bylaws, policies, and**
 1.6 **procedures.** (a) The league shall adopt procedures to ensure public notice of all eligibility
 1.7 ~~rules and~~ bylaws, policies, and procedures that will afford the opportunity for public hearings
 1.8 on proposed eligibility ~~rules~~ bylaws, policies, and procedures. If requested by ~~100~~ 25 or
 1.9 more parents or guardians of students, the public hearing must be conducted by an
 1.10 administrative law judge from the Office of Administrative Hearings, or by a person hired
 1.11 under contract by the Office of Administrative Hearings, ~~or by an independent hearing~~
 1.12 ~~officer appointed by the commissioner of education from a list maintained for that purpose.~~
 1.13 At the conclusion of a public hearing ~~requested by 100 or more parents or guardians of~~
 1.14 ~~students,~~ the person conducting the hearing shall write a report evaluating the extent to
 1.15 which the league has shown that the proposed ~~rule is~~ bylaws, policies, and procedures are
 1.16 needed and reasonable and the legality of the proposed ~~rule~~ bylaws, policies, and procedures.
 1.17 The league shall pay for hearings under this section.

1.18 (b) The league shall:

1.19 (1) maintain a public docket on the league's Web site that includes historical and proposed
 1.20 changes in eligibility bylaws, policies, and procedures;

1.21 (2) post notice and final versions of all proposed changes to eligibility policies,
 1.22 procedures, and definitions to the league Web site for at least 30 days prior to board meetings;

1.23 (3) include publication dates on all versions of the league's official handbook or other
 1.24 advisory documents regarding league eligibility bylaws, policies, procedures, and definitions;
 1.25 and

1.26 (4) reconcile and remove duplicate eligibility policies and procedures.

1.27 **Subd. 2. Eligibility review process.** (a) The league must establish a process for student
 1.28 eligibility review that provides students and parents with a reasonable opportunity to present
 1.29 information regarding the student's eligibility. The league must:

1.30 (1) publish general criteria by which a request for review may qualify for a review by
 1.31 the league's eligibility committee;

2.1 (2) publish general criteria by which a review may qualify for further review by an
 2.2 independent hearing officer;

2.3 (3) indicate the conditions, timelines, and procedures for administering any review under
 2.4 clause (1) or (2); and

2.5 (4) provide specific reasons for denying the request for reviews for which the league
 2.6 denies a request.

2.7 (b) The eligibility review process contained in this section does not create a property
 2.8 right or liberty interest in extracurricular varsity athletic competition.

2.9 Sec. 2. Minnesota Statutes 2016, section 128C.20, is amended to read:

2.10 **128C.20 LEAGUE INFORMATION REVIEW AND REPORT; COMMISSIONER**
 2.11 **REVIEW OF LEAGUE RECOMMENDATIONS.**

2.12 Subdivision 1. **Annually.** (a) Each year, the commissioner of education league shall
 2.13 obtain and review the following information about the league:

2.14 (1) an accurate and concise summary of the annual financial and compliance audit
 2.15 prepared by the state auditor that includes information about the compensation of and the
 2.16 expenditures by the executive director of the league and league staff;

2.17 (2) a list of all complaints filed with the league and all lawsuits filed against the league
 2.18 and the disposition of those complaints and lawsuits;

2.19 (3) an explanation of the executive director's performance review;

2.20 (4) information about the extent to which the league has implemented its affirmative
 2.21 action policy, its comparable worth plan, and its sexual harassment and violence policy and
 2.22 rules; ~~and~~

2.23 (5) an evaluation of ~~any proposed changes in league policy~~ bylaws, policies, procedures,
 2.24 and definitions, including those that have been proposed, for compliance with Department
 2.25 of Education programs and applicable state and federal law; and

2.26 (6) an explanation of recent and proposed changes to eligibility bylaws, policies, and
 2.27 procedures, including the eligibility review process under section 128C.03, subdivision 2.

2.28 The league shall post the review on the league's Web site and present written copies of
 2.29 the review to the commissioner of education and the chairs and ranking minority members
 2.30 of the legislative committees with jurisdiction over kindergarten through grade 12 education.

3.1 (b) The commissioner may examine any league activities or league-related issues when
3.2 the commissioner believes this review is warranted.

3.3 Subd. 2. **Recommend laws.** The commissioner may recommend to the legislature
3.4 whether any legislation is made necessary by league activities.

3.5 Sec. 3. Laws 2017, First Special Session chapter 5, article 11, section 9, subdivision 2, is
3.6 amended to read:

3.7 Subd. 2. **Department.** (a) For the Department of Education:

3.8 \$ 27,158,000 2018

3.9 ~~24,874,000~~

3.10 \$ 25,059,000 2019

3.11 Of these amounts:

3.12 (1) \$231,000 each year is for the Board of School Administrators, and beginning in fiscal
3.13 year 2020, the amount indicated is from the educator licensure account in the special revenue
3.14 fund;

3.15 (2) \$1,000,000 each year is for regional centers of excellence under Minnesota Statutes,
3.16 section 120B.115;

3.17 (3) \$500,000 each year is for the school safety technical assistance center under Minnesota
3.18 Statutes, section 127A.052;

3.19 (4) \$250,000 each year is for the School Finance Division to enhance financial data
3.20 analysis;

3.21 (5) \$720,000 each year is for implementing Minnesota's Learning for English Academic
3.22 Proficiency and Success Act under Laws 2014, chapter 272, article 1, as amended;

3.23 (6) \$2,750,000 in fiscal year 2018 and \$500,000 in fiscal year 2019 are for the Department
3.24 of Education's mainframe update;

3.25 (7) \$123,000 each year is for a dyslexia specialist; ~~and~~

3.26 (8) \$2,000,000 each year is for legal fees and costs associated with litigation; and

3.27 (9) \$185,000 in fiscal year 2019 only is for the Turnaround Arts program.

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

3.29 (c) None of the amounts appropriated under this subdivision may be used for Minnesota's
3.30 Washington, D.C. office.

4.1 (d) The expenditures of federal grants and aids as shown in the biennial budget document
4.2 and its supplements are approved and appropriated and shall be spent as indicated.

4.3 (e) This appropriation includes funds for information technology project services and
4.4 support subject to the provisions of Minnesota Statutes, section 16E.0466. Any ongoing
4.5 information technology costs will be incorporated into the service level agreement and will
4.6 be paid to the Office of MN.IT Services by the Department of Education under the rates
4.7 and mechanism specified in that agreement.

4.8 (f) The agency's base is ~~\$22,054,000~~ \$22,139,000 for fiscal year 2020 and \$21,965,000
4.9 for 2021.

4.10 (g) For the fiscal year 2018 appropriation only, any amounts remaining unspent in
4.11 paragraph (a), clause (8), must be reallocated according to paragraphs (h), (i), and (j), for
4.12 grants in fiscal year 2019.

4.13 (h) 50 percent of the amount under paragraph (g) must be allocated for additional
4.14 character development grants. This amount is available until June 30, 2021.

4.15 (i) 37.5 percent of the amount under paragraph (g) is for a grant to the For Jake's Sake
4.16 Foundation to collaborate with school districts throughout Minnesota to integrate
4.17 evidence-based substance misuse prevention instruction on the dangers of substance misuse,
4.18 particularly the use of opioids, into school district programs and curricula, including health
4.19 education curricula. Funds are to:

4.20 (1) identify effective substance misuse prevention tools and strategies, including
4.21 innovative uses of technology and media;

4.22 (2) develop and promote a comprehensive substance misuse prevention curriculum for
4.23 students in grades 5 through 12 that educates students and families about the dangers of
4.24 substance misuse;

4.25 (3) integrate substance misuse prevention into curricula across subject areas;

4.26 (4) train school district teachers, athletic coaches, and other school staff in effective
4.27 substance misuse prevention strategies; and

4.28 (5) collaborate with school districts to evaluate the effectiveness of districts' substance
4.29 misuse prevention efforts.

4.30 By February 15, 2019, the grantee must submit a report detailing expenditures and outcomes
4.31 of the grant to the chairs and ranking minority members of the legislative committees with
4.32 primary jurisdiction over kindergarten through grade 12 education policy and finance. The

5.1 report must identify the school districts that have implemented or plan to implement the
 5.2 substance misuse prevention curriculum. This amount is available until June 30, 2021.

5.3 (j) 12.5 percent of the amount in paragraph (g) is for a grant to the Mind Foundry
 5.4 Learning Foundation to run after-school STEM programming to inspire and educate
 5.5 underserved youth in St. Paul about the value of STEM fields in 21st century work and
 5.6 learning. This amount is available until June 30, 2021.

5.7 Sec. 4. Laws 2017, First Special Session chapter 5, article 11, section 10, is amended to
 5.8 read:

5.9 Sec. 10. **APPROPRIATIONS; PROFESSIONAL EDUCATOR LICENSING AND**
 5.10 **STANDARDS BOARD OF TEACHING.**

5.11 Subdivision 1. **Board of Teaching.** (a) The sums indicated in this section are appropriated
 5.12 from the general fund to the Board of Teaching or any successor organization for the fiscal
 5.13 years designated:

5.14 \$ 3,481,000 2018

5.15 ~~3,493,000~~

5.16 \$ 3,518,000 2019

5.17 (b) This appropriation includes funds for information technology project services and
 5.18 support subject to Minnesota Statutes, section 16E.0466. Any ongoing information
 5.19 technology costs will be incorporated into an interagency agreement and will be paid to the
 5.20 Office of MN.IT Services by the Board of Teaching under the mechanism specified in that
 5.21 agreement.

5.22 (c) The fiscal year 2019 appropriation includes \$25,000 for developing a process for
 5.23 districts to submit ethics complaints.

5.24 ~~(e)~~ (d) Any balance in the first year does not cancel but is available in the second year.

5.25 ~~(d)~~ (e) Beginning in fiscal year 2020, the amounts indicated are appropriated from the
 5.26 educator licensure account in the special revenue fund or, if the amount in the educator
 5.27 licensure account is insufficient, from the general fund to the Board of Teaching or any
 5.28 successor organization. If a successor organization is established, the Department of
 5.29 Administration must provide administrative support to the successor organization under
 5.30 Minnesota Statutes, section 16B.371. The commissioner of administration must assess the
 5.31 board for services provided under this section.

5.32 ~~(e)~~ (f) The base for fiscal year 2020 is \$2,734,000 and \$2,709,000 for fiscal year 2021.

6.1 Subd. 2. **Licensure by portfolio.** For licensure by portfolio:

6.2 \$ 34,000 2018

6.3 \$ 34,000 2019

6.4 This appropriation is from the educator licensure portfolio account in the special revenue
6.5 fund.

6.6 Sec. 5. Laws 2017, First Special Session chapter 5, article 11, section 12, is amended to
6.7 read:

6.8 Sec. 12. **APPROPRIATIONS; PERPICH CENTER FOR ARTS EDUCATION.**

6.9 (a) The sums in this section are appropriated from the general fund to the Perpich Center
6.10 for Arts Education for the fiscal years designated:

6.11 ~~8,173,000~~
6.12 \$ 7,394,000 2018

6.13 \$ 6,973,000 2019

6.14 (b) Of the ~~amounts appropriated in paragraph (a)~~ amount in fiscal year 2018, \$370,000
6.15 is ~~for fiscal years 2018 or 2019 only~~ for arts integration and Turnaround Arts programs and
6.16 is available until June 30, 2019.

6.17 (c) ~~\$1,200,000~~ \$400,000 in fiscal year 2018 is for severance payments related to the
6.18 closure of Crosswinds school and is available until June 30, 2019.

6.19 (d) The base in fiscal year 2020 is \$6,973,000.

6.20 Sec. 6. Laws 2017, First Special Session chapter 5, article 11, section 13, is amended to
6.21 read:

6.22 Sec. 13. **CROSSWINDS DISPOSITION COSTS.**

6.23 ~~\$162,000~~ \$21,000 in fiscal year 2018 only is appropriated from the general fund to the
6.24 Perpich Center for Arts Education. The amount appropriated in this section is for transfer
6.25 to the commissioner of administration for costs related to the sale of the Crosswinds school
6.26 and is available until June 30, 2019.

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

6.28 Sec. 7. **REPEALER.**

6.29 Minnesota Statutes 2016, section 128C.02, subdivision 6, is repealed.