



March 6, 2023

Minnesota House Education Policy Committee  
571 State Office Building  
St. Paul, MN 55155

Dear Chair Pryor and Members of the House Education Policy Committee:

The Legal Services Advocacy Project (LSAP) appreciates the opportunity to provide written testimony on the Education Policy bill HF1269.

**(1) Please expand the ban on seclusion to third grade.**

Though Legal Aid is grateful for the ban on seclusion for our youngest learners birth to pre-kindergarten, it's time for Minnesota to further eliminate this harmful and traumatic practice for the youngest children in elementary school. Seclusion does not help our youngest children build skills. It does not keep students or staff safe.

While ending seclusion for young children may result in more physical holds, Legal Aid supports well-trained adults using this practice in lieu of harmful isolation. A child in distress should not be locked into a space alone. These padded, solitary confinement rooms with blocked egress evoke extreme stress responses for young children. Furthermore, successful schools and educators can use other positive supports in lieu of seclusion: collaborative planning with families around de-escalation, professional development on problem-solving, and the creation of sensory profiles for individual children.

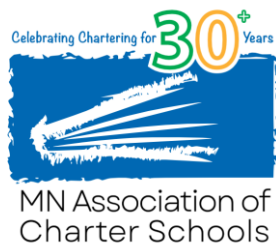
**(2) Please reconsider including withdrawal agreements in student records.**

Legal Aid is deeply concerned about the inclusion of pupil withdrawals in a student's educational record, as typically the main advantage of engaging in a pupil withdrawal agreement is not having an expulsion on a student's record. If there is an opportunity to re-consider this provision, we would welcome the discussion.

**(3) Thank you for including further limitations on disciplinary dismissals for children kindergarten to third grade.**

We appreciate your leadership on behalf of Minnesota's children and the ways you are striving to address racial disparities.

Sincerely,  
Jessica L. Webster  
Staff Attorney  
Legal Services Advocacy Project



**March 7, 2023**

**TO: Chair Pryor & Members of the House Education Policy Committee**

**RE: HF 1269 — Article 5 – Charter Schools**

**The Minnesota Association of Charter Schools supports** all the provisions in HF 1269 Article 5 – Charter Schools, and we urge the enactment of these provisions.

The “Market Need & Demand Study” provisions were developed over the last three plus years by the Association in cooperation with authorizers, and MDE. Over the last decade there has been a growing concern about the number of schools approved by authorizers which never open, or close within a short period after beginning operation. The goal of the “Market Need & Demand Study” is to make sure that when a school is approved that it will open and be sustainable.

We believe that the “Market Need & Demand Study” requirement will be beneficial for school developers in putting together sound and realistic proposals for new chartered public schools, for authorizers in doing their due diligence evaluation of the proposal for the school, and MDE in their review and oversight of the authorizer’s due diligence.

Again, the Minnesota Association of Charter Schools urges the enactment of the provisions in Article 5 of HF 1269.

Sincerely,

Eugene Piccolo  
Executive Director  
MN Association of Charter Schools



March 5, 2023

Dear Members of the House Education Policy Committee:

On behalf of NAMI Minnesota I would like to submit comments on HF1269.

- Article 2, Section 4. We support requiring the 988 suicide and crisis lifeline on student IDs and handbooks. NAMI Minnesota worked with districts in 2020 to do this voluntarily. We had the companies who produce the IDs all agree to put the information on it free of charge. Unfortunately, only a handful of districts participated, largely due to the newness of the pandemic. With the mental health crisis facing our students we believe it is imperative that they have this number easily available. We would also suggest that this information be on school districts' websites.
- Article 5. We support the inclusion of nonexclusionary discipline policies. Especially due to the pandemic, we have children who need to develop their social emotional skills and are in greater need of mental health treatment and supports. We also believe it's important to support students continuing their education while suspended. We had banned prone restraints from being used in special education and it makes sense to ensure that no one in a school, including a school resource officer, be allowed to use it. NAMI worked on the very first bill to restrict the use of seclusion and restraints in our schools. We have seen the data and we know that these procedures are being used disproportionately on males from BIPOC communities who are labeled EBD. Thus, we think it is important for the district oversight committee to examine the data by race, gender and disability. We support eliminating the use of seclusion for children birth through prekindergarten.
- Article 7, Section 4. We support allowing youth in residential facilities to continue their education with their home district through online learning.

We had hoped to see children who have been in day treatment or residential treatment eligible for extended school year. These children, due to the treatment they are receiving, are not receiving a full day of education. They need additional time to catch up to their peers.

Thank you for the opportunity to provide comments on the bill.

Sincerely,

A handwritten signature in black ink, appearing to read "Sue Abderholden".

Sue Abderholden, MPH  
Executive Director



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# The Coalition to Increase Teachers of Color and American Indian Teachers in Minnesota

[www.tocaimn.com](http://www.tocaimn.com) [info@tocaimn.com](mailto:info@tocaimn.com)



March 7, 2023

Dear Chair Pryor and Members of the House Education Policy Committee:

Thank you for including almost all of the policy-only provisions in the Increase Teachers of Color Act HF320 (Hassan) in your omnibus education policy bill HF1269 DE, including:

- Article 2, Sec. 11-13 amending World's Best Workforce 120B.11
- Article 2, Sec. 20 amending 121A.031 for MDE to provide resources for positive school climates
- Article 2, Sec. 48 amending 124D.861 and strengthening Achievement and Integration program plans
- Article 3, Sec. 6 establishing the prohibition of American Indian school mascots
- Article 3, Sec. 18 allowing American Indian tribal regalia at graduation ceremonies
- Article 4, Sec. 2 establishing a statute on curriculum policy for local school boards to address
- Article 4, Sec. 34 amending 122A.183 for teachers prepared outside of MN
- Article 4, Sec. 42 & 44 amending 122A.40 and 122A.41 for shortened probationary periods for teachers with three consecutive years experience in another school
- Article 4, Sec. 48 amending 123B.147 requiring principals to be evaluated on cultural responsiveness

We also support the following for the positive impact they will have on BIPOC students and teachers:

- All sections of Article 3 strengthening American Indian Education
- Article 4, Sec. 36 amending 122A.184 allowing for teachers of record for 3 years in their field to get a Tier 4 license
- Article 4, Sect. 37 amending 122A.185 re: testing requirements for licensure

Licensure exams have kept thousands of effective BIPOC teachers and white teachers out of classrooms and unable to earn Tier 3 licensure. There is no predictive validity that shows passing the exams ensures effective teaching, and plenty of evidence of Tier 2 teachers who completed programs without passing exams being effective classroom teachers.

- Article 4, Sec. 43 & 45 amending 122A.40 and 122A.41 to require assessment of teacher performance that includes culturally responsive methodologies

Finally, we ask that you amend your omnibus bill to include the following sections from HF320 that were omitted from your omnibus bill draft dated 3/5/23:

- Sect. 12 amending 122A.40 subd 3 (district reporting)
- Sect. 15 amending 122A.41 subd 16 (district reporting)

Thank you for your leadership in including these important policy provisions that are centered on improving the experiences of BIPOC students and teachers in schools and will help increase the percentage of BIPOC teachers in Minnesota which represents the largest teacher shortage area by far. These policies are also important to ensure a strong return on needed increased state investments in various programs intended to increase BIPOC teachers.

Respectfully,

Paul Spies, PhD

Legislative Action Team Lead

[Coalition to Increase Teachers of Color and American Indian Teachers in MN](#)

March 7, 2023

Honorable Laurie Pryor  
571 State Office Building  
St. Paul, MN 55155

Dear Chair Pryor:

Thank you for the time and effort you and your committee have put into the omnibus education policy bill, HF 1269. We have appreciated your willingness to meet with us and listen to our feedback throughout the session. As you know, our organizations have consistently advocated for allowing our locally elected school boards, working with their administrators, students, parents, and communities, to make decisions about curriculum and instruction and to refrain from enacting new mandates, particularly unfunded mandates.

Collectively, our organizations' memberships reach far and wide across Minnesota. Locally elected school board members across Minnesota, rural and metropolitan superintendents, principals, special education, curriculum, and technology leaders from all corners of the state. Together, we offer the following areas of support and concern within the bill.

We support:

- Article 1, Sections 4 - 5 – modifications to the duties of the School Trust Lands director.
- Article 2, Section 5– greater flexibility with the required academic standards in math and science.
- Article 2, Section 40 – prohibiting an institution, in the application of a concurrent enrollment course, from requiring a faith statement during the application process or basing any part of the admission decision on a student's race, creed, ethnicity, disability, gender, or sexual orientation or religious beliefs or affiliations.
- Article 2, Section 44 – the establishment of the Online Instruction Act.
- Article 4, Section 37 – repealing the successful completion of a teacher competency exam.
- Article 4, Section 46 – the creation of the short-call substitute teacher program.

We have concerns about the following:

- Article 2, Section 3 – Required compensation for e-learning days.
- Article 2, Sections 11 - 12 – adding new reporting requirements under the World's Best Workforce statute.
- Article 2, Section 21 - Requiring a school board to adopt a written policy to address malicious and sadistic conduct. Current MSBA model policy already covers this.
- Article 2, Section 22 – changes to school discipline without the corresponding resources necessary for staffing and facilities.
- Article 4, Section 2 – requiring a written policy on curriculum. Curriculum decisions should be made by locally elected school boards working with their staff, parents, and communities.

- Article 4, Sections 30 – 35 – the elimination of pathways to Tier 2 and Tier 3 teacher licensure.
- Article 4, Section 41 – the inclusion of Adult Basic Education (ABE) and Early Childhood Family Education (ECFE) teachers in the definition of “teacher”.
- Article 4, Section 42 – decreasing the number of instructional days required during the probationary period from 120 to 60.
- Article 4, Section 50 – making class size, student testing and student to personnel ratios terms and conditions of employment.

Thank you for your consideration and we stand ready to assist you in any way we can over the next weeks to pass legislation that meets the needs of our students and our communities.

Sincerely,

Association of Metropolitan School Districts



MN Association of School Administrators



MN Association of Secondary School Principals



MN Elementary School Principals Association



MN Rural Education Association



MN School Boards Association



Schools for Equity in Education



copy: House Education Policy Committee Members