



Governor's Education Policy Bill HF 3782 Walkthrough

February 28, 2024

Ten Minnesota Commitments to Equity

1. Prioritize equity.
2. Start from within.
3. Measure what matters.
4. Go local.
5. Follow the money.
6. Start early.
7. Monitor implementation of standards.
8. Value people.
9. Improve conditions for learning.
10. Give students options.



Article 1: General Education

- **Sec. 1:** Local Special Education and Pre-Employment Transition Services Coordination. **Authorize school districts and charter schools to release specific student data** to DEED for purposes of coordination special education services for students with disabilities.
- **Sec. 2: Delete SHAPE America standards and sample assessments.** The requirement for MDE to utilize the SHAPE America national standards as the state physical education standards was removed in 2022; but did not remove the rest of the SHAPE language in the paragraph regarding using SHAPE America national standards in the standards revision process.
- **Sec. 3: Delays requirements** for 11th and 12th graders to take a course in government and citizenship by a year to the 2025-26 school year. Also **replaces “credits” with “credit”** for the purpose of physical education credits for graduation.

Article 1: General Education

- **Sec. 4: Shifts reporting dates regarding the Rigorous Course Taking Report** from February with no year to “by July 1, 2025 and each subsequent year by July 1.” This timeline will provide information on the full school year, not just the prior semester of the same calendar year.
- **Secs. 5-10: Statewide Testing statute (120B.30) cleanup** that removes redundancies and creates transparency.
- **Sec. 11: Change 120B Subd. 2 (b) assessment reporting dates** from no later than September 1 or October 1 in standard setting years to no later than December 1 for all years.
- **Sec. 12: Clarify new language re: PSEO**, passed last year, pertaining to notification duties for student withdrawals and absences.

Article 1: General Education

- **Sec. 13: Correct in Online Instruction Act reference** to federal law, because it focuses on accessibility in the digital sense whereas 504 is nondiscriminatory language and accessibility in the physical sense (brick and mortar settings).
- **Sec. 14: Amend Online Instruction Act** to include supplemental online course fees. This language was in the recently repealed Sec.124D.095 Online Learning Option Subd 4 (b)(3), but not included in the new Act.

Article 1: General Education

- **Sec. 15: Update language** in Achievement & Integration statute for cities of the first class to be more modern and inclusive.
- **Sec 16: Technical changes** to Care and Treatment Online Option Statutory Text Reconciliation with Digital Instruction Act text from 2023 session.
- **Sec. 17:** Repealer as part of assessments **statute reorganization** in Sections 5 through 10.

Article 2: Education Excellence

- **Secs. 1-2: Religious instruction exemption extended to tribal students.**
Approved absences from school may be for instruction provided by Tribal spiritual or cultural advisors.
- **Secs. 3-4: Clarify required levels of language proficiency for Minnesota Bilingual Seals** to ensure equity-centered alignment to implementation based on data collected on Minnesota Bilingual Seals outcomes.
- **Sec. 5: Require districts to develop a board-approved language access plan.**
This policy will be part of the discussion of WBWF plans and can be tailored to fit the needs and access for the community.

Article 2: Education Excellence

- **Sec. 6: Clarifies that prohibition on withholding grades or diploma for nonpayment of fees** also applies to all districts, charters, and Tribal contract schools.
- **Sec. 7: EL Parent Notification Clarification.** Align state and federal requirements for parental notification upon entrance into a program for English learners.
- **Sec. 8: Include English Language Development Standards** in EL General Requirements for Programs. The ELD standards are already required in Rule.

Article 3: Teachers

- **Sec. 1:** Clarify for **educator workforce initiatives** in 120B.117 which years the report on educator workforce initiatives is completed and submitted.
- **Secs. 2-7: Tier 1 and Tier 2 special education** license requirements:
 - Tier 1 and 2 special education recipients must receive high quality professional development, participate in intensive supervision, and demonstrate progress toward professional licensure.
 - Tier 1 licenses limited to three years of teaching special education.

Article 4: The READ Act

- **Secs. 1-15:** Clarifying and providing **statutory consistency** within the newly established READ Act statutes.
 - Sec. 2, 4: Defines "word study" and adds it to definition of evidence-based.
 - Sec. 3: Strikes delayed training timeline for MDE literacy specialist and district literacy lead.
 - Sec. 5: Clarifies which educators don't have to receive training until July 1, 2027.
 - Sec. 6, 7, 9: Required literacy screenings to occur three times per year.
 - Sec. 8: Clarifications on staff training requirements.
 - Sec. 10: Progress monitoring must be done with approved assessments.
 - Sec. 11: Literacy curricula must be evidence-based **and** focused on structured literacy.
 - Sec. 12: Clarifies that instruction must emphasize that all students have continuous progress in reading.
 - Sec.13: Clarifies that Reading Corp programming focuses on children age 3 to grade 3.
 - Sec. 14: Allows literacy incentive aid to be used for teacher stipends to receive training under the READ Act.
 - Sec. 1, 15: Technical clarification and Revisors instruction.

Article 5: Charters

- **Sec. 1:** Update the **definitions for CMO and EMO** in Minnesota to differentiate the two clearly using the US Department of Education’s framework.
- **Sec. 2: Remove WBWF “policy”** mention. Districts are not required to have a “policy” under 120B.11; however, charter schools are under 124E.03. This is unnecessary when they already have a WBWF plan, budget, and process under 124E.03 and 120B.11. (technical)
- **Sec. 3: Authorizer Application Process statute;** “eligible authorizer” should say “eligible organization”, as they are not authorizers yet. (technical)

Article 5: Charters

- **Sec. 4: Remove "Statement of Assurances"** from new charter school applications. Reduces redundancy as it is already required in contract between a charter and authorizer.
- **Sec. 5:** Clarify statute so that the grades and number of primary enrollment sites in **an approved affidavit are final** and can only be modified by the supplemental affidavit process provided in statute. **Remove redundant requirements in new school affidavit** that are already included in the authorizer's approved application.
- **Sec. 6:** Supplemental Affidavit Clarifications. **Clarify "longitudinal record", "academic performance", and "history of sound school finances"**.

Article 5: Charters

- **Sec. 7:** Clarify in statute that **only teachers of record qualify for meeting minimum board membership requirements.**
- **Sec. 8: Charter Board Meeting Minutes Publication** in 124E.07, subd 8(b). Require publication within 30 days after the date of approval or the date of the next regularly scheduled board meeting, whichever occurs first.
- **Sec. 9:** Authorizer and Charter Schools Conflict of Interest. **Strengthen conflict of interest provisions** in statute for charter schools and authorizers by requiring disclosure of certain activities.
- **Sec. 10:** Add to 124E.10, subdivision 5 that **change in authorizers for preoperational charter schools are not allowed.** The authorizer that approved the charter school application must make the ready to open determination.

Article 5: Charters

- **Sec. 11:** Charter Schools may not contract with an EMO/CMO to provide teachers.
- **Sec. 12:** Rearrange financial requirements statutes re: investments for charter schools. Moving “A charter school is subject to and must comply with sections 15.054; 118A.01; 118A.02; 118A.03; 118A.04; 118A.05; 118A.06 governing government property and financial investments;” out of 124E.16 and into 124E.26 so it is more prominent and not lost in the audit information.
- **Sec. 13:** Require charter schools to establish and follow a procurement policy when it comes to state funding to help safe-guard schools and state funding and support public purpose.

Article 6: Nutrition and Libraries

- **Sec. 1: Clarification of statutory applications** for sponsoring organizations. Minnesota Statute 124D.111, subdivision 2a is intended to apply to nonprofit multisite sponsoring organizations but does not specify this under section (b); recommend language in that section change from “sponsor” to “nonprofit multisite sponsoring organization”.
- **Sec. 2: Prohibiting** public libraries (incl. school libraries) from **banning books** based on their content or other subjective ideological objections.
 - Governing board may not:
 - ban, remove, or otherwise restrict access to a book based on viewpoint, content, message, idea or opinion.
 - discipline or discriminate against a librarian overseeing a book collection
 - Library collection decisions must be overseen by a license library media specialist, individual with a master's in library sciences, or a professional librarian.
 - Law does not limit a librarian's authority on decisions to decline/restrict/remove access to material
 - Nothing impairs the rights of a parent or adult student to challenge content used for instruction.

Article 7: Health and Safety

- **Sec. 1: Licensed School Nurse** position at MDE statutory qualifications modifications.
- **Sec. 2-3:** Ensure **nonexclusionary discipline** provisions apply to charter schools and Tribal contract schools.
- **Sec. 4:** Clarify the statutory language regarding **jurisdictional issues** of 18-21yo students in student maltreatment processes.

Article 8: Early Learning

- **Secs. 1-2: Separate the definition of prekindergarten from kindergarten;** ensures consistent understanding and application of the term prekindergarten that can be referenced in other program statutes.
- **Sec. 3: Merging** voluntary prekindergarten (VPK) and school readiness plus (SRP) statutes. Language makes clear student assessment data is required to be submitted and changes allocation process to operate on a 4-year cycle. **Repeal** SRP statute.
- **Secs. 4-5:** Clarify that **child of a parent in foster care or in need of child protection services** qualifies for an early learning scholarship categorically. Expand early learning scholarship **priority to children with an IEP or IFSP**. Clarify early learning scholarship **priority applies to children who are receiving or undergoing** treatment in mental health or prenatal substance exposure.

Article 8: Early Learning

- **Sec. 6:** Make technical updates to language related to developmental delay criteria.
- **Sec. 7:** Add specific reference to rule where eligibility is defined for Part C.
- **Sec. 8:** Clarification to **Alternative Instruction Before Assessment Statute** that alternate instruction prior to referring a student for a special education evaluation (sometimes known as “pre-referral interventions”) is for school-aged (K-12) pupils only, and is not for students not yet in kindergarten.
- **Secs. 9-10:** Revisor instruction to remove the term “**school readiness plus**” from statute throughout Minnesota laws. **Repeal** School Readiness Plus statute effective July 1, 2025.

Article 9: Education Partnerships and Compacts

- **Secs. 1-2:** Create a standalone state **council for the Military Interstate Children's Compact** required under 127A.85, Article VIII.
- **Sec. 3: Benefits and rights extended** to children of MN Nat'l Guard & Reserve members.

Thank You!

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