

COALITION FOR CHILDREN WITH DISABILITIES

April 04, 2022

Education Finance Committee
Minnesota House of Representatives
100 Rev. Dr. Martin Luther King Jr. Blvd.
Saint Paul, MN 55155

Chair Davnie and Members of the Education Finance Committee,

On behalf of the Coalition for Children with Disabilities, we are writing to express support for provisions in House File 4300, Representative Davnie's Omnibus Education Finance bill. We thank the chair for the focus on funding for special education, support staff, mental health, and training on non-exclusionary principles and policies. We support the following provisions in the Omnibus Finance Bill that provide:

- Definitions and reporting on pupil withdrawal agreements, non-exclusionary discipline language, prohibition of dismissals for K-3, funding for training on non-exclusionary discipline (Article 2 Section 2, 33-44, Article 3 Section 28)
- Prohibition of withholding recess as form of punishment (Article 2 Section 14, 44)
- Restrictive Procedures modifications (Article 2 Section 69 -72)
- Two hours of training in mental illness (Article 3 Section 5)
- Teacher Prep time for due process paperwork (Article 3 Section 20, Section 34 subd. 3)
- Modifying the age to receive special education services to 22 and increases age of services to age 23 for next year (Article 5 Section 2)
- Paid time for training for paraprofessionals and time to review IEPs (Article 5 Section 3)
- Funding for Paraprofessional training (Article 5 Section 4)
- Funding towards eliminating the special education cross subsidy (Article 5 Section 5)
- Legislative Working Group on Special Education Billing (Article 5 Section 8)
- Anti-bullying provisions (Article 6 Section 2-4)
- Funding for Student Support Personnel Aid (Article 6 Section 8)
- Comprehensive School Mental Health Services Leads to have minimum two positions at schools (Article 6 Section 9)

Coalition for Children with Disabilities

The Arc Minnesota • Epilepsy Foundation of Minnesota
Mid-Minnesota Legal Aid/Minnesota Disability Law Center • Minnesota Brain Injury Alliance
PACER Center • Prader-Willi Syndrome Association of Minnesota
Proof Alliance



April 4, 2022

Dear Members of the Education Finance Committee:

On behalf of NAMI Minnesota, I want to offer our comments on the omnibus education finance and policy bill. First, please accept our gratitude for the investments to support students' mental health. We know that our children and youth were negatively impacted by the pandemic, and we have seen increased rates of depression, anxiety, and suicidal ideation. All systems must be on board to help address their mental health needs. These are the sections we support.

Article One:

- Section 2: Providing access to menstrual products
- Sections 30-32: Allowing online learning for students in care and treatment facilities with parental agreement. It might be easier for these students to stay connected to their home school and not fall behind as much.
- Section 34: Funding extended time for students in residential treatment.

Article Two:

- Section 33: Not allowing students in k-3 to be suspended without trying additional nonexclusionary policies and practices. Especially after the pandemic, these young students need additional help and social emotional learning.
- Sections 35-42: Language related to suspensions. It's important that we keep students who are suspended connected to school and their classwork so as not to fall further behind. It also makes sense to help the student learn different ways to react to situations by connecting them with social emotional learning, mental health services, etc. We support not using suspension to punish truancy. Having a system so that families can file complaints on how a student is disciplined is also important to ensure policies are implemented equitably.
- Section 43: The more detailed approach to not allowing students to participate in recess as a punishment or consequence. It's so important for students to "move" for their physical and mental health.
- Section 69-72: Expanding the restrictions on the use of restrictive procedures to all students, not just special education students. We also support expanding the responsibilities of the oversight committees to look at issues such as racial disparities in the use of these procedures and the use of school resource officers. It is a best practice to debrief after the use of these procedures, so we support adding information about the debriefing policy.

Article Three:

- Section 5: Requiring administrators – like teachers – to have at least two hours of training on suicide prevention and mental illnesses in children.
- Section 28: Providing additional funds for training on nonexclusionary discipline procedures.



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Article Five:

- Section 3 and 4: Providing funding to support paraprofessionals obtaining training and being provided the time to learn more about the specific needs of a student with whom they will be working.

Article Six:

- Section 3: Including social emotional learning in the model policy.
- Section 4: Requiring school boards to adopt a written policy to address malicious and sadistic conduct involving race, gender, religion, disability, sexual harassment, sexual orientation, and sexual exploitation. These acts are very harmful to the mental health of students and adults.
- Section 7: Conducting mental health screening of student and ensuring that the records are private and not shared except with the parents.
- Section 8: Increasing funding for schools to hire more school support personnel and to measure outcomes.
- Section 9: Funding two new positions – mental health leads – within the Department of Education to serve as a source of information and support to districts to address the mental health needs of students and staff.

We appreciate the funding for the Level 4 Mental Health Innovative Grant Program which is so critical to addressing the serious mental health needs of students in Intermediate Districts.

Again, thank you for including so many provisions that will help the mental health and wellbeing of Minnesota students.

Sincerely,



Sue Abderholden, MPH
Executive Director

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Testimony for: Minnesota House Education Finance Committee

From: Amy R. Buchmeyer, HSLDA Staff Attorney

Date: April 4, 2022

Re: HF 4300DE1

Dear Chair Davnie and Members of the Education Finance Committee,

As you may know, the Home School Legal Defense Association (HSLDA) is a national organization committed to protecting the fundamental constitutional right of parents to direct the education and upbringing of their children. With over 106,000 member families, including over 2,000 in Minnesota, we are the world's largest homeschool advocacy organization.

On behalf of those families, HSLDA opposes the addition of “ethnic studies” as a required subject listed under Sec.120A.22, subdivision 9, MN Statutes, found on line 42.27 of HF 4300.

Minnesota's compulsory school attendance law states that parents have the primary responsibility for ensuring that a child acquires the knowledge and skills essential for effective citizenship. If this is true normally, it is doubly so when a parent exercises their constitutional right to educate their child at home.

Homeschooling parents have a right and a duty to provide the best education for their children. Adding additional course requirements unnecessarily burdens the exercise of that right. Many parents choose homeschooling because it provides the flexibility to tailor a curriculum to meet their child's individual needs. Additional course requirements create further hurdles for parents, limiting their ability to adjust to their student's unique interests. Failure to comply with this new requirement would be a violation of the compulsory attendance law. Homeschools do not look like public or private schools—nor should they. Forced standardization and conformity stifles the very flexibility from which homeschooled children benefit.

When educating their own child, a parent agrees to meet the basic requirements listed in the compulsory school attendance statute, including four broad subject areas: basic communication skills including reading and writing, literature, and fine arts; mathematics and science; social studies including history, geography, economics, government, and citizenship; and health and physical education.

“Ethnic studies” is out of place as a fifth category on this list. It is not as broad as the other subject areas and more accurately fits under the social studies category. There are other, more appropriate places in the statute to list ethnic studies as a requirement, and they are already listed in this bill under the provisions for public school students.

The addition of another required subject to Sec. 120A.22 undermines the purpose of the statute and prevents parents who have taken responsibility for their children's education from fully exercising their authority to educate their children in effective citizenship as they see fit.

Therefore, we ask you to remove line 42.27.



April 4, 2022

TO: Members, House Education Finance Committee
FROM: Dr. Julie Bunn, Executive Director, Minnesota Council on Economic Education
RE: Comments on DE1 HF4300 (Davnie) E-12 Omnibus Bill

The **Minnesota Council on Economic Education (MCEE)** has long been an advocate for economic and financial literacy education for all Minnesotans and is committed to working with stakeholders to ensure young Minnesotans have the skills needed to succeed in the future. We are allies in the cause of promoting financial literacy, especially in communities of color and those facing systemic barriers to financial services and education.

We wish to thank Chair Davnie and members for including most of the appropriation language for MCEE contained in HF3393 (Sandell)/ SF3426 (Duckworth) in the Omnibus Bill. The DE1 includes for MCEE \$150,000 in FY2023, and \$150,000 in the base in FY2024. This funding is essential to ensure that Minnesota's teachers receive the training required to deliver the K-12 economic and personal finance standards embedded in the social studies standards, and to support training for Minnesota business and family and consumer science teachers.

We also wish to thank Chair Davnie and members for including in the Omnibus Bill a half-credit personal finance high school graduation requirement. Research clearly demonstrates that a quality introduction to personal finance in high school produces a range of very desirable behavioral changes, and that these changes and outcomes are stronger for students receiving a full-course in personal finance than those in standards-only states.

In light of inclusion of the high school personal finance course requirement, the appropriation in support of MCEE's core mission to train Minnesota teachers in economics and personal finance is all the more important. We will be ready to train the high school teacher workforce needed to support in-person instruction in personal finance.

Contact: Dr. Julie Bunn, Executive Director MCEE: jbunn@umn.edu; 624-9477.

April 4, 2022 HF4300 DE1

To: Members of the House Education Finance Committee

From: Robert S. Prigge, MÂCHÉ Executive Director

Minnesota Association of Christian Home Educators - MÂCHÉ

Thank you for the opportunity to provide written testimony on HF4300 DE1. I am writing on behalf of the Minnesota Association of Christian Homeschool Educators in opposition to the new state curricula mandate included in HF4300 DE1, “line 42.27”. Specifically, MÂCHÉ is concerned that the additional requirement of “ethnic studies” is unclear, and intrusive.

This requirement for distinct focus on ethnic studies is not needed. Part of the expectations for social studies education already includes the study of all people groups that are representative of those that have built both Minnesota and the collective United States. This has long been part of our social studies curriculum, and segregating it apart from a comprehensive and cohesive social studies curriculum is inappropriate. It would also seem to focus this topical area on par with mathematics, science and communication competencies, which is again concerning and highly subjective.

The requirement is unclear. The legislation requires instruction to be provided in ethnic studies, but doesn’t define the term, a clearly communicated intent and the learning objective of this focus, how to measure outcomes in an effective and healthy manner for students of this instruction. The lack of clarity in the focus and objective would be very problematic as a required course of instruction and frankly is likely duplicative of the social studies focus currently in place.

The requirement is intrusive. The basic, inalienable, right of parents to raise and educate their children is conducted in cooperation with the state within the boundaries of indigenous (or natural) law. Where the state could add numerous areas of particular study, for each political wave that blows, they also need to be done within the consent of the governed. (For instance, we could easily add “computer programming” as an “essential” area of study to thrive in the modern world, express ourselves, and to be independent.) Each area of focus requires time and necessarily removes time from other areas of study. Requirements are not to be added lightly or done where they are not commonly agreed on. Where some subjects have different levels of importance to different people, they will make curricular choices for the good of the child. This autonomy is not necessarily a denigration of a topic, but a right to customize learning. We regard tolerance for difference as a primary value in education.

The purpose and point of a general outline of instructional expectations is to sustain a *common* understanding of the current law pointing to the absolute basics of communication (reading and writing), mathematics and science, and social studies for and towards the core elements needed for basic citizenship. Where these subjects have heightened value that is commonly agreed upon, picking a particular narrow topic and elevating it is driven by political preference and subjective opinion, not common law.

I encourage you to remove the addition of “ethnic studies” as a required subject from HF4300 DE1.



The Kid Experts™

April 5, 2022
House Education Finance Committee

Dear Chair Davnie and Committee Members,

On behalf of Children's Minnesota, I am writing to offer comments on the omnibus education finance and policy bill. Children's Minnesota is the state's largest pediatric health care system, serving an incredibly diverse patient population. Nearly half of our patients are insured through Medicaid. We recognize that access to a high-quality education provides a strong foundation for lifelong health and wellness.

The pediatric mental health crisis has been declared a national emergency and the impact this crisis is having on Minnesota students is undeniable. We therefore applaud the committee for its investments in mental health supports in schools. Children's Minnesota is seeing the largest ever volumes of kids in our Emergency Departments for an overdose, suicide attempt, or other mental health crisis; suicidal ideation is now one of the top five diagnoses. In response to this crisis, and with help from the legislature, Children's Minnesota will be opening a new inpatient mental health unit to build on our existing behavioral health services. We know we cannot do this work alone - schools are essential partners in addressing this mental health crisis. Children's Minnesota currently partners with schools on professional development and capacity building, removing barriers to receiving services and connecting the health care and education systems so schools are best positioned to care for kids. Requirements for mental health screenings and investments in hiring additional school counselors, social workers, psychologists and nurses are crucial steps in improving the mental health of all Minnesota kids.

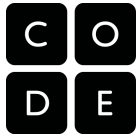
In addition to the necessary mental health supports, proper nutrition is a key component of students' academic success. We were disappointed this bill didn't include funding for school meals for all Minnesota students. This investment is urgently needed given the June expiration of federal funding. Without these resources, many children will again face hunger in classrooms next school year. Nevertheless, the significant investment in the Community Eligibility Provision is an important first step in providing nutritious meals to the 1 in 6 Minnesota children that is food-insecure. We appreciate the committee taking this step and look forward to continued discussions about fully funding universal meals.

At Children's Minnesota, our vision is to be every family's essential partner in raising healthier children. As the kid experts in our community, it is our goal to improve the health and wellbeing of kids in our state. We appreciate the steps this bill takes in addressing kids' mental health and nutritional needs.

Sincerely,

A handwritten signature in black ink that reads "Amanda Jansen". The signature is fluid and cursive.

Amanda Jansen, MPP
Director of Public Policy
Children's Minnesota



March 9, 2022

Dear Members of the Minnesota House of Representatives Education Finance Committee:

On behalf of our broad coalition of education, business and industry groups, we are writing in strong support of HF 3243 (Davnie), a bill that will empower Minnesota to develop the blueprint necessary to expand access to computer science in K-12 schools and help prepare Minnesota students for the 21st century workforce.

Minnesota currently ranks last in computer science education. Only 24% of Minnesota high schools offer a foundational computer science course. Contrast that with Arkansas and South Carolina, both over 90% and where computer science is a high school graduation requirement for all students. Computing is a foundational skill for K-12 students. It develops students' computational and critical thinking skills and teaches them how to create — not just use — new technologies. These skills will benefit students in every subject, in the classroom and beyond.

And computer science is driving job growth and innovation in Minnesota and throughout the U.S. Computer science skills are in high demand in the job market; in fact, more than half of projected jobs in STEM fields are in computing occupations, and computer science is one of the most desirable degrees for new college graduates. According to the Conference Board, there are more than 14,500 open computing jobs in Minnesota, with an average salary of over \$92,000, over two times the average salary in the state. At the same time, only 1,806 exams were taken in AP Computer Science by high school students in Minnesota in 2020.

HF 3243 will help create the blueprint that can address a number of policy and implementation issues to integrate computer science as a new subject into the existing system. The blueprint provides coherence to the overall effort of implementing K–12 computer science, offers the opportunity to involve several stakeholders, and creates a vision that can be publicly communicated.

Thank you for your efforts to provide students in Minnesota the education they need to be successful during and beyond their K-12 education. Our shared goal should be that every K–12 student has access to high-quality computer science.

Thank you for your consideration, and please consider our organizations as a resource as you deliberate this bill.

Sincerely,

Code.org, College Board, CSforAll-MN, CSTA Minnesota, Google, Minnesota Technology Association, National Center for CS Education (at the College of St. Scholastica) and Project Lead the Way



April 5, 2022

To: Members of the House Education Finance Committee

RE: House File 4300, DE 1

Dear Chair Davnie and Committee Members,

Thank you so much for your leadership on behalf of Minnesota's students! We write to share our support for provisions in HF 4300, DE 1.

The Minnesota Disability Law Center (MDLC) and the Legal Services Advocacy Project (LSAP) are statewide projects of Mid-Minnesota Legal Aid. MDLC serves as the Protection and Advocacy (P&A) organization for Minnesota, and, along with every other state and territory, is the largest network of legally based advocacy services for people with disabilities in the United States. MDLC provides free legal services to children and adults with disabilities. LSAP is the advocacy arm of Legal Aid and has provided legislative and administrative advocacy on behalf of Legal Aid's clients and all low-income Minnesotans since 1977.

We write with support for many provisions in this bill. Your commitment to Minnesota's students and to making Minnesota's education system more equitable, is evident in the many proposals and investments in this bill. Our clients include low-income students, students who have disabilities, and Black, Indigenous, and students of color, all of whom face unique challenges in navigating and accessing our education system. We support many of the finance pieces in this bill, including:

Special Education Funding (Article 5, Section 5). Our clients are students with disabilities who need special education services to participate in school. Yet special education services have not received the funding necessary from the state and federal government, which impacts schools' ability to serve students with disabilities and all students. The investment in this bill is monumental and will make a tremendous difference for our clients across the state.

Increase Special Education Services through age 22 (Article 5, Section 2). This provision would bring Minnesota into alignment with federal law regarding providing services to eligible students until they turn 22. It also addresses a major gap in services for students who experienced Covid-19 disruptions to their transition services.

Non-Exclusionary Discipline Training (Article 3, Section 28). Minnesota schools continue to over-rely on exclusionary discipline, which is not effective and often leads to worse outcomes for students. This is a needed support to provide training to teachers on using alternative and student-centered approaches.

Community Eligibility Provision (Article 8, Section 1). Though Legal Aid prefers a statewide investment in universal free meals for all students, the adoption of statewide Community Eligibility Provision (CEP) is a critical first step in ensuring universal free meal access in high poverty schools.

Access to free menstrual products in school restrooms (Article 1, Section 2). Legal Aid's recent statewide surveys of parents accessing the Minnesota Family Investment Program (MFIP) mentioned menstrual products as a top five affordability concern for parents and their youth. A family's inability to afford menstrual products can cause extreme stress to the parents and youth in that household, and Legal Aid supports all efforts to ensure youth have the support they need to take care of their menstrual health.

Training for Paraprofessionals (Article 5, Section 3, 4). Paraprofessionals provide absolutely critical support for students with disabilities in schools. Paraprofessionals and students do better together when paraprofessionals have the opportunity to be trained and to read the IEPs of the students they work with.

Special Education Tuition Billing Working Group (Article 5, Section 8). We are grateful for the inclusion of this working group and believe it will be a productive and needed way to address tuition billing for special education services moving forward.

Policy Provisions

This bill also includes several policy provisions that we previously commented on, including several we strongly support:

Student Discipline Provisions: HF 4300, DE1 includes many changes to student discipline that will help end the racial disparities in student discipline that disproportionately keep BIPOC students and students who have disabilities out of the classroom. We are particularly supportive of provisions that would:

- End suspensions and limit expulsions for K-3 students (Article 2, Section 31)
- Define and requiring reporting on Pupil Withdrawal Agreements (Article 2, Section 2, 30, 37)
- Require the use of non-exclusionary discipline practices before the imposition of most removals and dismissal (Article 2, Section 29, 32)
- Require minimum educational services during a suspension of at least five days and make it easier for students to stay caught up during dismissals, along with strengthening supports on readmission (Article 2, Section 33, 34)
- Strengthen district discipline policies in several ways, including continued access to school-based services, special attention to students who are victims of bullying, prohibition on dismissals for young learners and for truancy and attendance, and a district discipline complaint procedure (Article 2, Sections 38-41)

We are particularly excited about the district discipline complaint procedure, as many of our clients experience dismissals that negatively impact their experience and relationship with school, and this is exacerbated when families feel like there is no recourse. This is a smart way to afford families recourse and provide an opening and a process when families feel that something has gone wrong.

Recess and Lunch Withholding (Article 2, Section 42). It is time we agree as a state that students presenting with behavior challenges should not lose recess or a mealtime as a consequence. We have

been working with stakeholders on the language in this bill, which would address the practice of withholding recess or lunch as a discipline or punishment, which research shows is not effective and usually counterproductive.

Restrictive Procedure Provisions (Article 2, Section 61). We are grateful for the inclusion of provisions requiring additional documentation in quarterly review, including racial disparities and any school resource officer involvement.

Due Process Preparation Time (Article 3, Section 16). Great teachers are the key to many of our clients' success, and it's essential that they have time to prepare the important communications that families rely on as part of the IEP process.

Thank you so much for your leadership and for advancing these proposals. We are grateful for your work and look forward to continuing to support these important provisions.



Maren Hulden
Staff Attorney



Jessica Webster
Staff Attorney



April 5, 2022

Representative Jim Davnie, Chair
House Education Finance Committee
443 State Office Building
Saint Paul, MN 55155

Representative Ron Kresha, Republican Lead
House Education Finance Committee
207 State Office Building
Saint Paul, MN 55155

Dear Chair Davnie and Lead Kresha:

On behalf of Nonpublic Education Partners, thank you for including HF3506 (Erickson) and HF3937 (Bennett) as part of HF4300 (Davnie), the House Education Finance Omnibus bill.

HF3506 expands access to guidance counseling and mental health services for nonpublic students enrolled in grades K-6. Under the current law, nonpublic students may only receive these services for grades 7-12. Nonpublic Education Partners supports extending services to students in grades K-12. As the recent report from the U.S. Surgeon General makes clear, mental health issues among young people are growing exponentially, and we know that counseling and mental health services are needed to students in all grades, not just grades 7-12.

HF3937 provides flexibility between nonpublic schools and school districts regarding transportation services. This legislation gives nonpublic schools and school districts the opportunity for greater flexibility when transporting nonpublic students. Under this legislation, by mutual agreement, school districts and nonpublic schools may agree to an alternative transportation arrangement for transporting nonpublic school students.

This mutually beneficial flexibility was utilized when the Safe Learning Plan was in effect during the Peacetime Emergency Order during the 2020-21 school year. Once the Peacetime Emergency Order was lifted in July 2021, the Safe Learning Plan was no longer in effect and it is unclear if this flexibility is available to school districts and nonpublic schools.

Again, thank you for including HF3506 and HF3937 in the House Education Finance Omnibus bill.

Please feel free to contact our organization's government relations Melissa Reed at melissa@parkstreetpublic.com or Chas Anderson at chas@parkstreetpublic.com if you have any questions.

Sincerely,

Tim Benz
President
MINNDEPENDENT

Jason Adkins
Executive Director
Minnesota Catholic Conference