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Article 1: General Education

Overview

Makes the specific statute regarding students' use of asthma inhalers consistent with the general statute regarding students' use of drugs and medicine in school district buildings. Modifies the aid payment schedule for nonoperating aids; defines a "shelter care facility" for purposes of funding certain pupil transportation services; and repeals a definition of American Indian student that is based on membership in a recognized tribe.

- 1 Exclusions.** Clarifies that students' use of asthma inhalers under the statute generally regulating administration of drugs and medicine to students in Minnesota school districts must also comply with the specific statute regarding possession and use of asthma inhalers.
- 2 Possession and use of asthma inhalers.** Clarifies that the specific statute authorizing the use of asthma inhalers by students must lead to a process that is consistent with the general statute governing the administrative of drugs and medicine to students in terms of parental approval and written notice.
- 3 Definitions; pupil transportation aid; shelter care facility.** Adds transportation of a student to and from a shelter care facility as a reimbursable expenditure under the special education pupil transportation formula. Defines "shelter care facility" as a physically unrestricting facility, such as a hospital, a group home, or a licensed facility for foster care,

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used for the temporary care of a child pending court action. (Note: This change was necessitated by the federal definitional change in homeless pupil transportation which removed students awaiting foster care placement).

- 4** **Payments to school nonoperating funds.** Changes the metering schedule for the payment of school district nonoperating aids (nonoperating state aid includes debt service equalization aid) from 12 monthly payments to six monthly payments beginning in July. This means that school districts will receive their debt service equalization aid sooner which better matches their generally scheduled twice-annual payments to bondholders.
- 5** **Repealer.** Repeals Minnesota Statutes, section:
- 124D.73, subdivision 2 – definition of “American Indian child” listed under the American Indian Education Act (sections 124D.71 to 124D.82) which defined “American Indian child” as a child enrolled or eligible for enrollment in a federally recognized tribe.

Article 2: Education Excellence

Overview

Modifies compulsory instruction requirements, charter school requirements, school performance reporting requirements, open enrollment priorities, high school equivalency test provisions, and special educator requirements. Defines concurrent enrollment. Codifies innovative pilot program provisions.

- 1** **Instruction in citizenship and economics.** Adds instruction in citizenship and economics to list of subject areas for compulsory instruction.
- Effective August 1 following final enactment.
- 2** **Length of school year; hours of instruction.** Allows school boards to include plans for up to five days of instruction provided through online instruction due to inclement weather.
- 3** **E-learning days.**
- Subd. 1. Days.** Defines “E-learning day” as a school day where a school offers full access to online instruction due to inclement weather. An e-learning day is counted as a day of instruction.
- Subd. 2. Plan.** Allows school boards and charter schools to adopt e-learning plans after consulting with teachers. Requires school boards and charter schools to adopt plans that include accommodations for students who lack access to internet at home or digital devices, and accessible options for children with disabilities.
- Subd. 3. Annual notice.** Requires school districts and charter schools to notify parents and students of the e-learning plan at the beginning of the school year.

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Subd. 4. Daily notice. Requires school districts and charter schools to notify parents and students at least two hours before school start time that students need to follow e-learning day plan for the day.

Subd. 5. Teacher access. Requires teachers to be accessible online and by telephone during normal school hours on e-learning days.

- 4 **Rulemaking.** Eliminates obsolete language stating when language arts, mathematics, arts, science, and social studies standards must be implemented.
- 5 **State bilingual and multilingual seals.** Provides that seals recognize high school students in any school district or charter school with required proficiency.
- 6 **Shared responsibility.** Adds language providing that character development education is shared responsibility of parents, teachers, and community members to current law that encourages districts to offer character education instruction. Encourages districts to integrate character development instruction into positive behavioral intervention strategies.
- 7 **Statewide testing.** Modifies the definition of “cultural competence.”
- 8 **School performance reports and public reporting.** Requires school districts to include in school performance reports school performance reporting information and calculate proficiency rates required by ESSA, which reauthorized the Elementary and Secondary Education Act. Requires school districts to develop, update, and post school performance reports that comply with world’s best workforce requirements.
- 9 **Lotteries.** Modifies open enrollment lotteries by giving priority to a new group of students. Students who do not reside in the school district receive priority if they reside in a municipality where (1) the nonresident district operates a building, (2) the resident district does not operate a building, and (3) no other nonresident district operates a building.
- 10 **Definitions.** Defines “concurrent enrollment.”
- 11 **Authorization; notification.** Strikes provisions relating to 9th or 10th grade students enrolled in concurrent enrollment.
- 12 **Authorization; notification.** Recodifies provisions relating to 9th or 10th grade students enrolled in concurrent enrollment in new subdivision.
- 13 **Financial arrangement.** Increases number of days the department has to pay postsecondary institutions for concurrent enrollment students from 30 to 45.
- 14 **Innovative delivery of career and technical education programs; sharing of district resources.** Codifies innovative pilot projects provisions enacted in 2012 and 2014 session laws.
- 15 **Commissioner-selected high school equivalency test.** Replaces the GED test with commissioner-selected equivalency test.
- 16 **Commissioner-selected high school equivalency test fees.** Replaces GED test with commissioner-selected equivalency test in provision relating to test fees.

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- 17** **Certain federal, state, and local requirements.** Regulates placement of students in classroom of a teacher who is on performance plan or has not had summative evaluation. Recodifies requirement that charter schools comply with Pupil Fair Dismissal Act.
- 18** **Admissions requirements and enrollment.** Clarifies that charter school admission requirements apply to charter schools offering free preschool or prekindergarten program.
- 19** **Individualized education programs.** Requires cultural competency for individualized education program team that determines appropriate goals and objectives based on the student's needs.
- Requires that school boards provide cultural competency training to paraprofessionals that work with students with disabilities.
- 20** **Alternate instruction before special education evaluation.**
- Subd. 1. Requirements.** Requires cultural competency for school district employees that conduct alternative instruction or interventions before referring a student for a special education evaluation.
- Subd. 2. Early intervening services program.** Requires cultural competency for teachers and paraprofessionals that provide small group instruction as an early intervening services program.
- 21** **Average daily membership.** Allows e-learning days to be counted the same as days when schools are in session for purposes of calculating average daily membership.
- 22** **Full-time student.** Replaces GED test with commissioner-selected equivalency test in provision relating to definition of "full-time student" in chapter on Minnesota Family Investment Program.
- 23** **Commissioner-selected high school equivalency.** Replaces GED test with commissioner-selected equivalency test in definition in chapter on Minnesota Family Investment Program.
- 24** **Commissioner report on dyslexia.** Requires the commissioner of education to report to the legislature on resources and administrative changes that would assist schools to address needs of students with dyslexia and convergence insufficiency disorder.
- 25** **Revisor instruction.** Requires the revisor to make appropriate changes related to high school equivalency test.
- 26** **Repealer.** Repeals Minnesota Rules, part 3500.3100, subpart 4, related to high school equivalency test

Article 3: Teachers

- 1** **Teacher and administrator preparation and performance data report.** Requires certain data to be disaggregated by race, unless such disaggregation would not yield statistically reliable results or would reveal personally identifiable information about an individual. The following data must be disaggregated for teacher and administrator preparation programs:

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(1) the number and percent of students by program who graduated, received a teaching or administrator license, and were hired in a Minnesota district or school as a teacher or administrator; and

(2) student and graduate survey results measuring student and graduate satisfaction with the program.

For administrators, survey data also includes employer satisfaction.

- 2 **Alternative teacher compensation revenue for St. Croix River Education District.** Permits St. Croix River Education District to receive alternative teacher compensation revenue (Q-comp). Requires district to report its staffing and expenditures each year.
- 3 **Positive behavior interventions and supports.** Defines “positive behavioral interventions and supports” (PBIS) as an evidence-based framework for preventing problem behavior. Lists key components of PBIS. Allows schools to use character education to support implementation of PBIS.

Article 4: Special Education

Overview

Creates a cross reference between the special education law’s existing definition of positive behavioral interventions and supports” and the newly proposed definition in article 3, section 2. Clarifies the names used for “on-site” education programs provided at children’s residential facilities licensed by the Department of Human Services and the Department of Corrections and replaces the terminology to describe certain facilities from “care and treatment facilities” to “children’s residential facilities.” Requires the commissioner of education to conduct assistive technology study.

- 1 **Definitions; positive behavioral interventions and supports.** Amends the existing statutory definition of “positive behavioral interventions and supports” which is in the special education statutes, to include a cross reference to the components of the newly proposed definition of “positive behavioral interventions and supports” in article 3, section 2, of this bill.
- 2 **Placement of students; approval of on-site education programs.** Clarifies that MDE is responsible for the approval of “on-site” education programs for facilities licensed by the Department of Human Services and the Department of Corrections. Changes the terminology in this section for the facility from a “care and treatment” facility to a “children’s residential facility.”
- 3 **Special education assistive technology study.** Requires the commissioner to examine use of assistive technology in school districts and report to the legislature by February 15, 2018.

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Article 5: Nutrition

Overview

Modifies duration limits for contracts between a school board and food service management company.

- 1** **Exception to contract limits.** Provides exception to rule that school district contracts must not exceed two years with an option on the part of the district to renew for an additional two years. Exception applies to contracts under section 2.
- 2** **Food service contracts.** Requires that a contract between a school board and a food service management company comply with federal regulation in order to be renewed after initial term for up to four additional years.

Article 6: Libraries

Overview

MDE is home to the State Library Services division which provides leadership assistance to Minnesota's libraries and administers state and federal library funds. Note that while the state funding for the regional library systems is a part of the K12 budget, most public library operating costs are paid by counties or cities.

- 1** **Advice and instruction.** Authorizes the Division of Library Services of MDE to, upon request, give advice and instruction to school district and charter school libraries.