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## Overview

H.F. 1376 is the Governor's prekindergarten through grade 12 education policy bill.

### Section

#### 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.

## Section

- 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, 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**      **Audits.** Clarifies that audit procedures followed by the Minnesota Department of Education's (MDE) pupil count and state aid auditors need not be adopted through the state's Administrative Procedure Act (APA) and may be different than the state's procedures when reducing a school district's aid for violation of state aid.
- 5**      **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.
- 6**      **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 physical education standards, and literacy instruction requirements. Defines concurrent enrollment. Modifies charter school requirements relating to admissions, discipline, contracting with other entities to manage charter school functions, mergers, authorizer withdrawals, and employment of educational staff.

- 1**      **Required academic standards.** Replaces National Association of Sport and Physical Education standards with Society of Health and Physical Educator standards as required physical education standards. Changes date when standards must be made available to districts.
- 2**      **Rulemaking.** Eliminates obsolete language stating when language arts, mathematics, arts, science, and social studies standards must be implemented.
- 3**      **State bilingual and multilingual seals.** Provides that seals recognize high school students in any public, charter, or nonpublic school with required proficiency.
- 4**      **Reading proficiently no later than the end of grade 3.**

## Section

**Subd. 1. Literacy goal.** Clarifies that goal of having every child reading at grade level by the end of grade three applies to students receiving literacy interventions as alternate instruction required before student is referred for special education evaluation, and to students receiving prevention services as an alternative to special education and other compensatory programs.

**Subd. 1a. Definitions.** Defines terms relating to reading instruction.

**Subd. 2. Identification; report.** Clarifies assessments used to identify students not reading at grade level. Requires districts to report on efforts to identify students likely to have dyslexia as defined in section 125A.01. Requires districts to provide students not reading at grade level literacy practices instead of providing services before evaluation for special education.

**Subd. 2a. Parent notification and involvement.** Requires schools to report to parents on student's progress. Prohibits district from using notification requirement to deny a student's right to special education evaluation.

**Subd. 3. Intervention.** Adds multitiered system of supports as type of reading intervention available to students not reading at grade level. Lists required intervention methods.

- 5 **Statewide and local assessments; results.** Eliminates requirement that adaptive assessments have test items that are above or below a student's grade level.
- 6 **Definitions.** Defines "concurrent enrollment."
- 7 **Authorization; notification.** Strikes provisions relating to 9th or 10th grade students enrolled in concurrent enrollment.
- 8 **Authorization; notification.** Recodifies provisions relating to 9th or 10th grade students enrolled in concurrent enrollment in new subdivision.
- 9 **Financial arrangement.** Increases number of days the department has to pay postsecondary institutions for concurrent enrollment students from 30 to 45.
- 10 **Authorization; notice; limitations on enrollment.** Prohibits online learning providers from discriminating in admissions.
- 11 **Definitions.** Defines terms related to charter schools.
- 12 **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. Requires charter schools to comply with Pupil Fair Dismissal Act.
- 13 **Withdrawal.** Requires an authorizer that withdraws as an authorizer to notify all families of children in charter schools in the authorizer's portfolio.
- 14 **Requirements.** Prohibits a charter school from contracting with an entity headquartered outside of Minnesota to manage the charter school's educational, financial, business, operational, or administrative functions. Requires a charter school's educational staff to be employed by the charter school's board of directors, and prohibits an entity that manages the charter's functions from employing the charter school's educational staff.

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- 15 Merger.** Requires charter schools with different authorizers, and who intend to merge, to request a change in authorizer. Merging schools must be approved to serve grades and sites of the merged school. If merging schools serve different grades or propose to operate additional sites, the merged school must follow procedure for adding grades or sites.
- 16 Mutual nonrenewal.** Requires authorizer to notify families of children attending charter school when authorizer and charter school board mutually agree not to renew the contract, or if authorizer withdraws for reasons unrelated to any cause in section 124E.10, subdivision 4. Cause includes failure to demonstrate satisfactory academic achievement, failure to meet generally accepted standards of fiscal management, and violations of law.
- 17 Admissions requirements and enrollment.** Clarifies that charter school admission requirements apply to charter schools offering free preschool or prekindergarten program.
- 18 Teachers.** Requires that all educational staff at a charter school be employed by or on contract with the charter school's board of directors.
- 19 Reporting management organization contracts.** Requires charter school contracting with entity to oversee charter school's operations to submit all contracts and amendments to Department of Education.

## **Article 3: Teachers**

### **Overview**

Allows St. Croix River Education District to receive Q-comp funds. Defines "positive behavioral interventions and supports."

- 1 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.
- 2 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.

## **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

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describe certain facilities from “care and treatment facilities” to “children’s residential facilities.”

- 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.”

## **Article 5: Self-sufficiency and Lifelong Learning**

### **Overview**

Adult Basic Education (ABE) providers are required by state and federal law to collect and share certain effectiveness measures for persons participating in their programs. This article updates obsolete references, clarifies that Social Security numbers that are provided as part of the assessment system are submitted when collected, and eliminates the authority for an adult basic education (ABE) program to use a follow-up survey instead of submitting the effectiveness measures.

- 1 **Performance tracking system; ABE.** Clarifies the data collection procedures for ABE program providers. Updates references to federal law, and clarifies that MDE may define the data elements that must be collected. Clarifies that Social Security numbers for participants are included in the assessment data only when the program participant voluntarily submits that Social Security number to the program. Eliminates the authority for an ABE program to use a follow-up survey instead of submitting the effectiveness measures through the statewide data collection system.

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**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.