

Subject Education Policy Bill

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Overview

This is the House education policy bill. It modifies provisions relating to dual enrollment programs, education innovation, epinephrine delivery systems, school nutrition programs, and the Office of Inspector General at the Department of Education, and makes other changes.

Article 1: General Education

This article modifies requirements related to the postsecondary enrollment options (PSEO) act, the online instruction act, and adult basic education (ABE) program approval.

Section	Description - Article 1: General Education
1	Authorization; notification. [PSEO] Provides that charter school students are eligible for PSEO. Requires a postsecondary institution to notify the pupil's school as soon as practicable if the pupil withdraws from the course or stops attending the course.
2	Authorization; CTE. [PSEO] Provides that charter school students are eligible for PSEO.
3	Enrollment priority. [PSEO] Strikes obsolete language limiting postsecondary institution advertisements and recruitment of secondary pupils.
4	Definitions. [Online instruction act] Modifies definition of "enrolling district" to refer only to districts and charter schools. Allows a state-operated school to qualify as a supplemental online course provider.
5	Program approval. [ABE] Expands ABE program approval term from five to six years.

Article 2: Education Excellence

This article modifies the commissioner's reporting requirements, makes permanent a short-call substitute teacher program, delays requirements related to a kindergarten assessment, and modifies Math Corps requirements.

Section	Description - Article 2: Education Excellence
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| 1 | State growth measures; other state measures. [Student academic achievement and growth]
Requires the commissioner to report language development outcomes of the target language of instruction other than English for all students in dual immersion programs or in programs in which the objective is improving or maintaining the students' native language. |
| 2 | Short-call emergency substitute teacher program.
Makes permanent a program that allows qualifying education support personnel or paraprofessionals to obtain a short-call substitute teacher license. Modifies requirements to substitute teacher rate of pay, and how long a short-call substitute teacher under the program may cover a particular assignment. |
| 3 | Kindergarten fall assessment; implementation.
Delays district and charter school compliance with statutory requirements until the 2026-2027 school year. |
| 4 | Minnesota math corps program. [Reading and math corps]
Requires Minnesota math corps to use evidence-based instructional support to evaluate and accelerate student learning on foundational mathematics skills. Defines "evidence-based." |

Article 3: Charter Schools

This article instructs the Revisor to renumber a subdivision as a new statute.

Section	Description - Article 3: Charter Schools
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| 1 | Revisor instruction.
Instructs the Revisor to renumber subdivision on public accounting and reporting CMO and EMO agreements as new statute. |
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Article 4: Education Innovation

This article modifies hours of instruction requirements, allows districts to adopt P-TECH plans without commissioner approval, codifies a new chapter of law, and makes other changes.

Section	Description - Article 4: Education Innovation
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| 1 | Hours of instruction. [Length of school year; hours of instruction]
Allows a district to include in hours of instruction for secondary school students experiences that allow students to earn academic credit, are available to all students, and are supervised, coordinated, and verified by a qualified teacher. Allows the experiences to occur outside the regular school day and week. Requires the Department of Education to review its policies and structures to ensure they support providing a range of educational opportunities to students. Provides that expansion of hours of instruction does not modify pupil units or provide additional pupil units for educational experiences allowed under this section. |
| 2 | Experiential and applied learning opportunities for students.
Prohibits the commissioner of education from approving or denying a school board-adopted experiential and applied learning program. |
| 3 | P-TECH schools; board approval process.
Allows a school board to adopt a P-TECH program without commissioner approval. |
| 4 | P-TECH schools; grant process.
Clarifies that the commissioner is not authorized to approve or deny a locally adopted P-TECH plan. |
| 5 | Revisor instruction.
Instructs the Revisor to codify a new chapter of statutes relating to education innovation, and codifies innovation zone session law in new chapter. |

Article 5: Special Education

This article establishes a state process for filing and resolving a complaint over a violation of the federal Individuals with Disabilities Education Act (IDEA).

Section	Description - Article 5: Special Education
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| 1 | State complaint process.
Establishes a process to file a complaint over a violation of the federal IDEA. |
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Section	Description - Article 5: Special Education
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Subd. 1. Filing a state complaint. Allows an organization or individual to file a complaint with the Department of Education, Office of General Counsel, Dispute Resolution. Establishes requirements for a complaint.

Subd. 2. Remedies. Requires the department to address the failure to provide appropriate services and appropriate future provision of services for all children with disabilities when resolving a complaint and finding a failure to provide appropriate services.

Subd. 3. Time limit and procedures. Establishes investigation and other procedures for resolving a complaint.

Subd. 4. Complaints and due process hearings. Requires the department to set aside an issue or complaint that is also the subject of a due process hearing. Allows an organization or individual to file a complaint alleging a failure to implement a due process hearing decision.

Article 6: Health and Nutrition

This article expands the allowable delivery systems for epinephrine in schools from only auto-injectors to include other delivery systems, such as inhalers, requires the commissioner of health to provide a district or school with a standing order for distribution of epinephrine delivery systems, and modifies a reference to federal regulations.

Section	Description - Article 6: Health and Nutrition
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| 1 | <p>Administration of drugs and medicine; exclusions.</p> <p>Replaces reference to epinephrine auto-injectors with more generic reference to epinephrine delivery system.</p> |
| 2 | <p>Possession and use of epinephrine delivery systems; model policy.</p> <p>Replaces “epinephrine auto-injector” with “epinephrine delivery system” which expands how epinephrine can be administered.</p> |
| 3 | <p>Life-threatening allergies in schools; stock supply of epinephrine delivery systems.</p> <p>Replaces reference to epinephrine auto-injectors with more generic reference to epinephrine delivery system. Requires the commissioner of health to provide a district or school with a standing order for distribution of epinephrine delivery systems.</p> |

Section	Description - Article 6: Health and Nutrition
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| 4 | Summer food service program locations.
Modifies reference to applicable federal regulation. |
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Article 7: State Agencies

This article modifies provisions relating to the Office of the Inspector General (OIG), the Professional Educator Licensing and Standards Board (PELSB), and the Department of Education (MDE), including data practices provisions and definitions, modifies MDE's rulemaking authority, and makes other changes.

Section	Description - Article 7: State Agencies
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| 1 | Directory information. [Educational data]
Requires educational agencies or institutions sharing personal student contact information and directory information for students in special education to comply with requirements for parental consent under federal regulations. |
| 2 | Rulemaking. [Required academic standards]
Requires MDE to adopt standards through the regular rulemaking process rather than the expedited rulemaking process. |
| 3 | Requirements for board approval. [Teacher preparation programs]
Strikes requirement that PELSB report on the performance of teacher candidates on assessments of knowledge and skills. |
| 4 | Report. [Teacher mentorship and retention of effective teachers]
Modifies reporting requirement. |
| 5 | Establishment of the OIG; powers; duties. [OIG]
Adds preventing and detecting theft to the purpose and duties of the OIG. |
| 6 | Definitions. [OIG]
Modifies definition of "abuse." Defines "excluded." Modifies definition of "fraud" and provides examples. |
| 7 | Access to records. [OIG]
Requires program participants to give the OIG immediate access without prior notice to any locations of potential record storage and the records themselves, and to any records related to a department program. Provides that denying access to requested |

Section Description - Article 7: State Agencies

- records is cause for immediate suspension of payment. Allows the OIG to copy any record related to a department program.
- 8 **Sanctions; appeal. [OIG]**
Modifies grounds for sanctions.
- 9 **Data practices. [OIG]**
Modifies cross-references to data practices statutes, referencing new statute governing the OIG and investigative data (section 13.3211 (section 2 above)) and statute on comprehensive law enforcement data (section 13.82) rather than statute governing data collected by a government entity as part of an active investigation related to a civil action (section 13.39). Strikes audit data from list of types of data governed by these cross-referenced statutes.
- 10 **Immunity and confidentiality. [OIG]**
Provides immunity from civil liability to a person making a good faith report or participating in an investigation. Requires the reporter's name and identifying information to be kept confidential after an investigation is complete.
- 11 **Limits on receiving public funds; prohibition. [OIG]**
Provides that subdivision does not authorize reducing or pausing state or federal aid to a district, charter school, cooperative unit, library, library system, or library district. Establishes requirements for and consequences of excluding a participant from a department program.
- 12 **Notice. [OIG]**
Requires the commissioner to provide a program participant notice when excluding a participant from a department program.
- 13 **Appeal. [OIG]**
Allows a program participant excluded from a department program to request a contested case hearing.
- 14 **Withholding of payments. [OIG]**
Provides that subdivision does not authorize withholding payments of state or federal aid to a school district, charter school, cooperative unit, library, library system, or library district. Requires the inspector general to recommend to the commissioner to withhold payments to a participant in any department program if there is a credible allegation of fraud or theft for which an investigation is pending. Requires the commissioner to notify the participant when withholding payments. Prohibits appeals of withholding of payments.

Section Description - Article 7: State Agencies

- 15 **Excess tax increment. [Aid adjustments]**
Requires the county auditor to certify by February 1 to the commissioner of education the amount of any excess tax increment that accrued to the district during the preceding year.
- 16 **Report. [Alternative teacher preparation grant program]**
Modifies reporting requirement.
- 17 **Use of data. [DEED data privacy]**
Adds the MDE OIG to the list of agencies that may receive data from the Unemployment Insurance program without the consent of the data, for investigations related to fraud, theft, waste, and abuse or other misuse of public funds.



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