

**2014 Minnesota Department of Education  
Policy and Technical Bill Summary  
House File 2397 (A14-0777 Delete Everything Amendment)**

**Article 1 – GENERAL EDUCATION**

**Section 1- Transportation of Young Children with Disabilities**

- Clarifies that districts are not obligated to provide transportation for a child with disabilities to child care or to a non-public preschool program that was selected a parent and agreed to by the district as a program in which to embed special instruction.
- Clarifies the district must transport a child with a disability to an early care and education program for any for which the district has expended resources by paying tuition, placing staff, or, in the case of Head Start, when the grantee does not otherwise provide transportation.
- Reduces the number of disputes that arise between districts and families/and or Head Start programs over who is responsible for transportation of students.

**Section 2- Continued Enrollment for Students Placed in Foster Homes**

- Allows a foster home student to return to the school they last attended without the district approval under enrollment options.

**Article 2 – EDUCATION EXCELLENCE**

**Section 1- Postsecondary Remediation Data and Report**

- Modifies remedial education reporting requirements to reflect current practice.
- Requires public postsecondary systems to report the extent and content of remedial instruction received by individual students in the Statewide Longitudinal Education Data System.
- Requires the Office of Higher Education, in collaboration with the Department of Education, to evaluate the remediation data and report findings to the legislature.

**Section 2 - Academic Standards Revisions**

- Gives authority to the Commissioner to revise, on a permissive basis, the academic standards on the same review schedule already in statute.
- Clarifies that the ten year revision and review schedule passed in the 2013 session begins following completion of the existing timeline in current statute.

### **Sections 3-7 - Enrollment Options Program Modifications**

- Removes requirement for pupil and parent meeting with resident district representative prior to submitting an open enrollment application.
- Clarifies that the application submitted to MDE must be physically signed, unless otherwise provided.
- Clarifies enrollment options applications to be submitted on an unmodified MDE form.
- Clarifies that changing resident districts does not cause a student to lose their open enrollment seat, but only requires the student to submit an updated enrollment options form.
- Replaces term “desegregation district transfers” with “achievement and integration district transfers” in order to parallel current Achievement and Integration Revenue statutory language
- Requires districts to give written notice to parents within 30 days of when an achievement and integration district transfer application is submitted.
- Adds a 15 day deadline for parent/guardians to notify nonresident districts of a transfer
- Requires districts to hold an impartial lottery if there are more enrollment options applications than open nonresident seats
- Siblings of currently enrolled students and applications related to an approved integration and achievement plan must receive priority in the lottery
- Lottery process must be approved by school board and be posted on district website
- Prohibits districts from using capacity of special education services as a basis for rejecting an enrollment options application.

### **Sections 8-9 – Charter School Purpose \***

- Clarifies that the primary purpose of all charters schools is to improve pupil learning for all students.

### **Section 10 - Charter School Pupil Transportation Requirement \***

- Clarifies charter schools must provide transportation to children living within two miles of the school.

## **Sections 11-13 - Career and Technical Education Revenue-Technical Changes \***

- Corrects cross-references.
- Gives districts flexibility to use CTE revenue for equipment purchases
- Eliminates an unnecessary report on CTE equipment expenditures that districts are currently required to submit.

## **Section 14 – Repealers**

- 120B.35, subdivision 4 – Eliminates the organizational and curricular practices report.
- 122A.61, subdivision 2 – Repeals obsolete language regarding the career teacher program.

## **Article 3 – SPECIAL PROGRAMS**

### **Sections 1-4, 9 - Coordinated Interagency Services Act Modifications**

- Section 1 – Strikes outdated language to reflect current plan terminology
- Section 2 - Updates Committee membership and statutory language to reflect the actual, current functioning of the state interagency committee.
- Section 3 – Eliminates some requirements and definitions that are no longer relevant to the work of the committees
- Sections 4 and 9 – Align language to be consistent with changes suggested in Article 3, Section 1.

### **Section 5 – Special Instruction with Children With A Disability**

- Clarifies the definition of free appropriate public education to align with federal IDEA Part B and C regulations.

### **Section 6 – Community Transition Interagency Committees (CTIC)**

- Makes community transition interagency committees permissive entities and creates flexibility around committee duties and membership.
- Eliminates a report CTICs are required to submit to MDE which is now duplicative or reporting required under the State Performance Plan

### **Section 7 – Interagency Early Intervention Committees (**

- Aligns and clarifies the duties of the 12 Regional IEIC's that were restructured in 2011 to more accurately reflect the role, duties, scope and impact of the committees
- Removes the requirement that county and school board members be specifically appointed to committees, due to the new regional structure of the committees.

### **Section 8- Cross Subsidy Report**

- Changes the due date for MDE to submit this report to the legislature from January 10<sup>th</sup> to March 30<sup>th</sup> to allow MDE to use final data rather than preliminary data to complete the report.

### **Section 10 – Repealer**

- 125A.027, subdivision 3 – Repeals an obsolete implementation timeline which has already been completed

## **Article 4 - NUTRITION**

### **Section 1- School Food Service Fund**

- Changes the exception for using food service funds for capital expenditures to if the “restricted” balance is greater than the cost of the equipment purchased to comply with general accounting standards.

### **Section 2- Donations to Food Shelf Programs \***

- Allows school districts to donate food that is not consumed to local food banks or charitable organizations.

## **Article 5 – EARLY CHILDHOOD EDUCATION, SELF-SUFFICIENCY, AND LIFELONG LEARNING**

### **Section 1- State Approved Alternative Program**

- Modifies language to reflect that funding is no longer provided to adults through this program. Funding was eliminated in FY 03.

### **Sections 2-3 – Early Learning Scholarships \***

- Replaces “early childhood education scholarship” with “early learning scholarship” for consistency throughout.
- Adds participation in the federal Food Distribution Program on Indian Reservations as an automatic eligibility criteria for early learning scholarships
- Clarifies that sibling preference and continuing scholarships will be provided as long as funds are available.

## **Article 6 - LIBRARIES**

### **Sections 1 and 2 – Library Maintenance of Effort**

- Eliminates an obsolete unused formula for calculating library maintenance of effort and creates a cross reference to the currently used maintenance of effort formula.

### **Section 3- Regional Libraries Telecom Aid Rule**

- Allows the commissioner to grant exceptions to the requirement that libraries be open a minimum of 20 hours per week to accommodate closings due to emergency maintenance and repairs, exceptional economic circumstances; or seasonal use patterns.

### **Section 4- Minnesota Libraries and Service Delivery Advisory Task Force \***

- Establishes a Minnesota Libraries and Service Delivery Advisory Task Force charged making recommendations to the commissioner and legislature on ways to increase service delivery and collaboration between library governance systems.