



*MASE builds strong leaders who work on behalf of students with disabilities.*

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The Minnesota Administrators of Special Education (MASE) appreciates the conscientious effort to support all the students in Minnesota, including those with disabilities in this proposed legislation. We appreciate the effort of Representative Hassan with House File 4 to address these disabilities, but we want to discuss some of the challenges created by this legislation.

**Subd 1 On-Site instruction:**

It is more than reasonable and appreciated that students with significant disabilities are given priority for on-site instruction. Identifying students by federal setting, however, may exclude students in greater MN where students with significant needs are, because of distance, more likely to be served in less restrictive settings. It is counterintuitive to make determinations solely based on the federal setting, while convenient, it deters from the individual nature of decision making that is the heart of the Individuals with Disabilities Act. We would recommend that the bill moving forward not reference federal settings specifically but instead include students with significant disabilities or intensive services which is in line with current guidance from the Minnesota Department of Education.

**Subd 3 Truancy:**

The student's disability is routinely considered in making a determination whether or not to make a truancy report, keeping in mind the obligation of the school district to report truancy. The subdivision also minimizes the value of engaging another agency in support of the student and by extension, their family. Let us not forget that in some instances truancy may be the most visible sign that a family is experiencing significant challenges including loss of income, health challenges, and potentially homelessness; school staff are doing all they can to engage students, but they need the support of other agencies.

**Subd 4 Transition program:**

We appreciate having another opportunity to help our students make the most robust transition to the post-secondary world as possible. The most significant challenge is that this will likely increase the student population in transition programs by more than 25% by retaining the students currently set to age out, while also welcoming new students into our programs. This will cause several issues that do not have straightforward solutions including:

1. Finding and employing additional staff for transition programs: Prior to the pandemic, many programs in the state were understaffed due to the special education staffing shortage. These staffing shortages have not improved, but rather have been exasperated by the pandemic. Recruiting more staff with the likelihood that the positions will be for only one year will be challenging, if not impossible.
2. Finding additional physical space, again for only a single year: In one metro area program, this means 4 additional classrooms when the program is already at capacity at their current site. It is not fiscally feasible to undertake the acquisition of additional space for short term needs.
3. Finding additional community placement, job, and career sites. Temporary growth of this nature does not take into account the need to develop and build relationships with potential employers. Furthermore, this growth could impact the adult disability community by competing for a limited amount of available opportunities during a time when unemployment for all Minnesotans is at a particularly high level.

Again, we appreciate the authors' efforts, but we want to be sure that our school districts' special education programs can deliver on these promises. We would be happy to discuss our concerns with this proposed legislation in more detail or testify on behalf of the Minnesota Administrators for Special Education. For further information, contact John Klaber at [jkklaber@gmail.com](mailto:jkklaber@gmail.com) or Brad Lundell at [lundelllegislative31@gmail.com](mailto:lundelllegislative31@gmail.com).