

Subject Governor's policy proposals

Authors Youakim and others

Analyst Ben Weeks

Date February 25, 2020

Overview

Contains the Governor's 2020 policy proposals for Kindergarten through grade 12 education.

Article 1: A World Class Education for Every Student

Section Description – Article 1: A World Class Education for Every Student

- 1 Private data; when disclosure is permitted [§13.32, subd. 3]**

Adds tribal nations to the list of entities that may receive certain otherwise private educational data. Tribal nations would be able to receive data on tribally enrolled or descendant students in order to support the students' academic pursuits.
- 2 Required standard [§120B.018, subd. 6]**

Conforms with changes elsewhere in the bill that change educational standards in the arts from optionally local expectations to statewide expectations, similar to those in math, reading, science, and the like.
- 3 Required academic standards [§120B.021, subd. 1]**

Makes standards in the arts required statewide standards, instead of including an option to develop local standards instead. The section also adds a fifth permissible area for arts courses: media arts.
- 4 Standards development [§120B.021, subd. 2]**

Adds the Tribal Nations Education Committee and representatives of Minnesota's tribal nations and communities to the list of those the commissioner of the Minnesota Department of Education (MDE) must consult in the creation of statewide academic standards.
- 5 State bilingual and multilingual seals [§120B.022, subd. 1b]**

Adds a requirement that school districts and charters report annually to MDE those students who received the various bilingual or multilingual seals as well as world language proficiency certificates under subdivision 1a. The report must include all

Section Description – Article 1: A World Class Education for Every Student

- students who received one of the seals or certificates and include various demographic information. The section also would require that districts and charters include any college semesters earned by these students on their school transcripts.
- 6 **Graduation requirements [§120B.024, subd. 1]**
Makes several changes to high school graduation requirements. The changes include: specifying that the required algebra 1 credit to be earned by the end of eighth grade does not count as high school credit; eliminating requirement for one credit of science elective and replacing with a requirement for one credit of earth and space science (beginning with the class entering ninth grade in the 2023-2024 school year); and adding a requirement for one credit of physical education. The section also makes associated conforming changes.
- 7 **Students experiencing homelessness [§120B.024, subd. 3]**
Requires that a school district or charter school award a diploma to a student experiencing homelessness, as defined by statute, if the student meets state graduation requirements, regardless of whether the student also meets any district-specific requirements. The section also requires that districts and charter schools give priority enrollment to students experiencing homelessness in classes needed for graduation or that they partially completed at another school.
- 8 **Adopting plans and budgets [§120B.11, subd. 2]**
Adds requirements for inclusion in a school board’s comprehensive, long-term strategic plan. Requirements include: strategies for providing student access to culturally relevant or ethnic studies curriculum; education effectiveness practices that integrate inclusive and respectful learning and work environments and promote a culture that retains qualified racially, ethnically, and linguistically diverse staff.
- 9 **District advisory committee [§120B.11, subd. 3]**
Adds requirement for school board advisory committees related to comprehensive, long-term strategic plans. Specifically adds strategies to insure respectful and inclusive learning and work environments, as well as curriculum, to the list of items on which a school board advisory committee must make recommendations.
- 10 **Gifted and talented students programs [§120B.15]**
Clarifies that requirements regarding gifted and talented students apply to services in addition to programs. Adds requirement that gifted and talented assessments and procedures be equitable to underrepresented groups. Updates some terminology and adds students with 504 plans to list of students from underrepresented groups.

Section Description – Article 1: A World Class Education for Every Student

- 11 **Curriculum policy [§120B.25]**
Requires a school board to adopt written policies prohibiting discrimination against teachers or principals who teach curriculum focused on persons in protected classes under state and federal antidiscrimination laws.
- 12 **English learner; interrupted formal education [§124D.59, subd. 2a]**
Modifies the definition of an English learner with an interrupted formal education for purposes of the Education for English Learners Act. Under current law, a student must meet five criteria to be considered in this category. This section would reduce that to two requirements: that a student has had two years less schooling than peers and that the student entered the United States after third grade.
- 13 **Plan implementation; components [§124D.861, subd. 2]**
Modifies and expands requirements for school districts making and implementing integration and desegregation plans.

Article 2: Safe and Nurturing Schools for Every Student

Section Description – Article 2: Safe and Nurturing Schools for Every Student

- 1 **Education records [§120A.22, subd. 7]**
Requires all schools to send pupil withdrawal records, as well as any services a student needs to mitigate inappropriate behavior, to another school to which a student is transferring. These are in addition to current requirements to send various academic and disciplinary records.
- 2 **School calendar [§120A.40]**
Expressly allows a school board to consider community's religious or cultural observances when adopting a school calendar.
- 3 **Safe and supportive schools programming [§121A.031, subd. 5]**
Changes current permissive language to mandatory language for schools to implement various measures seeking a safe and supportive school environment.
- 4 **State model policy [§121A.031, subd. 6]**
Adds two requirements to MDE's current obligation to create a state model policy on bullying. Specifically requires MDE to develop and maintain evidence-based resources regarding social-emotional learning and to develop and adopt state standards for social, emotional, and cognitive development.

Section Description – Article 2: Safe and Nurturing Schools for Every Student

- 5 **Sensory, serenity, or prayer rooms [§121A.391]**
Requires school districts and charters to adopt a policy considering whether to provide sensory, serenity, and prayer rooms to students.
- 6 **Suspension [§121A.41, subd. 10]**
Adds definition of “in-school suspension,” meaning when a student is removed from regular classroom for at least half a day but remains at school under supervision of school personnel. The term for the current statutory definition of “suspension” is changed to “out-of-school suspension.”
- 7 **Nonexclusionary disciplinary policies and practices; alternatives to pupil removal and dismissal [§121A.41, subd. 12]**
Adds definition of “nonexclusionary disciplinary policies and practices” to mean, in general, practices that are alternatives to removing a student from class or school.
- 8 **Pupil withdrawal agreement [§121A.41, subd. 13]**
Adds definition of “pupil withdrawal agreement” meaning an agreement between a school and a student’s parent or guardian by which the student withdraws from the school to avoid expulsion or suspension. Such agreements can be for no more than one year in length.
- 9 **Full and equitable participation in preschool and prekindergarten [§121A.425]**
 Subd. 1. Disciplinary dismissals prohibited. Requires school districts and charters to prohibit disciplinary dismissals of preschool and prekindergarten students.
 Subd. 2. Nonexclusionary discipline. Requires school districts to provide various supports or referrals for preschool and prekindergarten children.
- 10 **Provision of alternative programs [§121A.45, subd. 1]**
Changes terminology and makes conforming change related to nonexclusionary discipline.
- 11 **Suspension pending expulsion or exclusion hearing [§121A.46, subd. 4]**
Requires a school to provide alternative educational services to a student suspended for five or more consecutive school days.
- 12 **Minimum education services [§121A.46, subd. 5]**
Requires that a suspended student be allowed to complete all class assignments, and receive full credit for satisfactory completion, while on suspension.

Section Description – Article 2: Safe and Nurturing Schools for Every Student

- 13 **Written notice [§121A.47]**
Changes terminology from “alternative education services” to “nonexclusionary disciplinary practices.” The section also requires that MDE’s notice to parents about low-cost legal assistance for expulsion and exclusion procedures be posted on MDE’s website.
- 14 **Admission or readmission plan [§121A.47, subd. 14]**
Adds items to list of measures to correct a student’s behavior that may be included in an admission or readmission plan.
- 15 **Exclusions and expulsions; pupil withdrawals and physical assaults [§121A.53, subd. 1]**
Changes terminology and makes conforming changes regarding pupil withdrawal agreements, created elsewhere in the bill.
- 16 **Policies to be established [§121A.55]**
Requires school districts to include nonexclusionary disciplinary policies and practices in their uniform criteria for dismissal. The section also requires schools to continue reviewing a student’s school work after expulsion, exclusion, or pupil withdrawal agreement, unless the student enrolls in another school district, and requires schools to provide a list of mental health services available to the student after expulsion, and post this information on their website.
- 17 **Definitions [§124D.09, subd. 3]**
Modifies the definition of “eligible institution” within the Postsecondary Enrollment Options Act. Specifically, the section adds prohibition for a postsecondary education option (PSEO) institution against considering student race, color, creed, religion, national origin, sex, age, marital status, status with regard to public assistance, sexual orientation, disability, or gender in making admissions decisions.
- 18 **No fees [§124D.111, subd. 4]**
Prohibits schools from denying any student a school lunch regardless of whether the student has any balance in their lunch account.
- 19 **Respectful treatment [§124D.111, subd. 5]**
Prohibits participants in the school lunch program from demeaning or stigmatizing any student participating in the school lunch program. The section also prohibits participants limiting student participation in any school activities due to an owed balance. Finally, this section requires MDE send a letter to participants violating this section, and requires participants to respond within 30 days of receipt of the letter.

Section Description – Article 2: Safe and Nurturing Schools for Every Student

- 20 **Graduation ceremonies; tribal regalia and objects of cultural significance [§124D.792]**
Requires school districts to allow American Indian students to wear regalia and objects of cultural significance at graduation ceremonies.
- 21 **Certain federal, state, and local requirements [§124E.03, subd. 2]**
Requires charter schools to comply with municipal contracting laws in the same manner as currently required by school districts. The municipal contracting statute requires that contracts at certain dollar amounts go through certain open bidding processes and the like, as well more specific requirements for a variety of particular contract types.

Article 3: Qualified Teachers for Every Student

Section Description – Article 3: Qualified Teachers for Every Student

- 1 **Increasing the percentage of teachers of color and American Indian teachers in Minnesota [§120B.117]**
- Subd. 1. Purpose.** States the section’s purpose of increasing the percentages of teachers of color and American Indian teachers in Minnesota such that all students have access to effective teachers who reflect student diversity.
- Subd. 2. Equitable access to racially and ethnically diverse teachers.** Sets goal of increasing percentage of Minnesota teachers of color and American Indian teachers by two percent per year with an aim of having teachers reflect student diversity by 2040.
- Subd. 3. Rights not created.** Clarifies that the goals under the section do not confer any rights.
- Subd. 4. Reporting.** Sets reporting requirements for Professional Educator Licensing and Standards Board (PELSB) in collaboration with MDE beginning in 2020 and each year thereafter. The report, which must be posted on PELSB’s website, must address progress under a number of sections of law aimed at increasing the number of teachers of color and American Indian teachers in Minnesota. PELSB must consult with various public and community groups in preparing the report.

Section Description – Article 3: Qualified Teachers for Every Student

- 2 Limitations on license [§122.181, subd. 5]**
Currently Tier 1 licensed teachers are not included in the same bargaining unit, for the purposes of selecting exclusive representation and bargaining, as Tier 2, 3, and 4 licensed teachers. This section would include them in the same bargaining unit.
- 3 Coursework [§122A.185, subd. 1]**
Removes the option for meeting the coursework requirement for a Tier 3 license with three years of teaching experience while holding a Tier 2 license.
- 4 Tests [§122A.185, subd. 1]**
Eliminates the “basic skills” test requirement for a Tier 4 license.
- 5 Exceptions [§122A.26, subd. 2]**
Includes early childhood family education (ECFE) and adult basic education (ABE) teachers in tenure/continuing contract provisions.
- 6 Development, evaluation, and peer coaching for continuing contract teachers [§122.40, subd. 8]**
Adds cultural competency to list of items evaluated under teacher development and evaluation. The section applies to teachers in school districts other than those in cities of the first class, which are governed by a different section.
- 7 School board member training [§123B.09, subd. 2]**
Allows school board members of tribal contract schools to receive training provided by the Minnesota School Boards Association and created in collaboration with MDE and the Office of Higher Education.
- 8 Duties; evaluation [§123B.147, subd. 3]**
Adds cultural competency to list of items evaluated under principal evaluation.

Article 4: Updating Definitions and Timelines

Section Description – Article 4: Updating Definitions and Timelines

- 1 Verification of age for admission to public school [§120A.20, subd. 4]**
Aligns with federal guidance that a school district may not require a birth certificate to enroll in a public school. Allows for a number of different mechanisms for verifying student age.

Section Description – Article 4: Updating Definitions and Timelines

- 2 Requirements for instructors [§120A.22, subd. 10]**
Eliminates, under the compulsory instruction section, the option of completing a “teacher competency examination” to fulfil the minimum requirements to provide instruction to a child. No such relevant examination currently exists in Minnesota.
- 3 Rigorous course taking information; AP, IB, and PSEO [§120B.13, subd. 4]**
Changes the annual deadline for MDE’s report on rigorous course taking from February 1 to June 1.
- 4 State growth target; other state measures [§120B.35, subd. 3]**
Makes conforming change to align with federal race reporting and allows consultation with the state demographer in analyzing certain data.
- 5 Nonresident district procedures [§124D.03, subd. 5]**
Changes the amount of time a family has to accept an offered open enrollment slot from a school district from 45 days to 15 days.
- 6 Dissemination of information; notification of intent to enroll [§124D.09, subd. 7]**
Changes the deadlines for students to notify school districts of intent to enroll in PSEO courses. Under the proposed change, there would be two deadlines: May 30 for fall term and October 30 for spring term.
- 7 Financial arrangements [§124D.09, subd. 13]**
Changes and clarifies deadlines related to a student withdrawing from a PSEO course.
- 8 Additional duties [§124D.141, subd. 2]**
Eliminates outdated or now unnecessary language.
- 9 Administration [§124D.165, subd. 3]**
Adds an alternative deadline for early learning scholarship recipients who receive the scholarship before turning three years old.
- 10 Early childhood program eligibility [§124D.165, subd. 4]**
Eliminates obsolete language.
- 11 Program described [§124D.74, subd. 1]**
Adds clarifying language to American Indian Education Programs section.

Section Description – Article 4: Updating Definitions and Timelines

- 12 **Parent committee [§124D.78, subd. 1]**
Provides definition of “American Indian students” for purposes of section related to parent and community participation in school districts and at American Indian schools.
- 13 **Membership [§124D.78, subd.3]**
Requires a majority of the parents on American Indian parent advisory boards to be parents of American Indian students.
- 14 **Technical assistance [§124D.79, subd. 2]**
Modifies MDE’s requirement to provide technical assistance to schools and districts under the Community and Commissioner Participation in American Indian Education section to include an annual report of American Indian student data.
- 15 **Procedures [§124D.81, subd. 1]**
Adds clarifying language consistent with current practice.
- 16 **Revenue reserved [§124D.862, subd. 7]**
Updates an incorrect reference in achievement and integration aid section.
- 17 **English learners [§124E.03, subd. 8]**
Clarifies that the English Learners Act applies to charter schools.
- 18 **Corporal punishment [§124E.03, subd. 9]**
Applies section prohibiting corporal punishment to charter schools.
- 19 **Application content [§124E.05, subd. 4]**
Together with section 20, clarifies that if a charter school authorizer withdraws before the end of their five-year evaluation, they are not subject to the evaluation.
- 20 **Withdrawal [§124E.05, subd. 7]**
Together with section 19, clarifies that if a charter school authorizer withdraws before the end of their five-year evaluation, they are not subject to the evaluation.
- 21 **Admission requirements and enrollment [§124E.11]**
Clarifies that entry into a charter school is free to any student in Minnesota.
- 22 **Affiliated nonprofit building corporation [§124E.13, subd. 3]**
Clarifies that only one local education agency may organize an affiliated nonprofit building corporation.

Section Description – Article 4: Updating Definitions and Timelines

- 23 **Rulemaking [§125A.091, subd. 29]**
Requires MDE to align rule with law passed in 2019 relating to conciliation conferences.
- 24 **Interagency early intervention committees [§125A.30]**
Adds tribal health and human service agencies to Interagency Early Intervention Committees.
- 25 **Services to people with visual and physical disabilities [§134.31, subd. 4a]**
Updates references to conform with federal terminology changes.
- 26 **Limitations of order effective January 1, 2015, and later [§609A.03, subd. 7a]**
Removes MDE from the list of agencies that receive notifications of criminal expungements, which is obsolete after the creation of PELSB.



**MN HOUSE
RESEARCH**

Minnesota House Research Department provides nonpartisan legislative, legal, and information services to the Minnesota House of Representatives. This document can be made available in alternative formats.

www.house.mn/hrd | 651-296-6753 | 600 State Office Building | St. Paul, MN 55155