LEGISLATIVE SUMMARY

2019

STATE OF MINNESOTA

Proclamation

Proclamation for Special Session 2019

WHEREAS, The Thirty-Fourth Legislature assembled for its 2019 regular session without creating legislation crucial to the health, well-being, and safety of the citizens of Minnesota, and

WHEREAS, The unfulfilled mandates of the Legislature include laws essential to balancing the state budget and

WHEREAS, The Minnesota Constitution allows the Governor to call a special session of the Legislature on extraordinary occasions; and

WHEREAS, An extraordinary session, as envisioned by the Minnesota Constitution, has arisen; and

WHEREAS, The people of Minnesota would be served by a prompt conclusion of legislative business and avoidance of a government shutdown; and

WHEREAS, The Governor and other legislative leaders have reached an agreement on an agenda and procedures to accomplish special session in the shortest time possible.

NOW, THEREFORE, I, Tim Walz, Governor of Minnesota, by the authority vested in me by Article IV, Section 8 of the Minnesota Constitution and Section 15 of the Minnesota Statutes, amnow do hereby call the Legislature to convene for Special Session in St. Paul, Minnesota, on Monday, July 1, 2019 at 2:00 p.m.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of Minnesota to be affixed at the State Capitol on this 23rd day of May, 2019.

[Signature]
Governor

MINNESOTA SCHOOL BOARDS ASSOCIATION
Where School Boards Learn to Lead
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Indicates significant MSBA advocacy effort
# 2019 E-12 Education Budget

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<thead>
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<th>TOTAL EDUCATION BUDGET DOLLARS</th>
<th>FY 20</th>
<th>FY 21</th>
<th>FY20-21</th>
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## LEADERSHIP AGREEMENT

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<td>Voluntary PreK (maintain existing slots)</td>
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<td>School Safety (contingent)</td>
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<td>Tribal Contract Schools</td>
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<td>MDE Operating Increases and Legal Costs (see detail below)</td>
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## ADDITIONAL ITEMS BY CONFERENCE COMMITTEE

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<th>Additional Items by Conference Committee</th>
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<td>Teachers of Color - Mentoring and Retention Incentive Grants</td>
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<td>Suicide Prevention Training for Teachers Grant</td>
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<td>MN Council on Economic Education</td>
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<td>Online Access to Music Education Grant (MacPhail Center for Music)</td>
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<td>Reach Out &amp; Read MN</td>
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<td>Sparsity Revenue for Karlstad Elementary</td>
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<td>Race 2 Reduce Grant</td>
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<td>PSEO for 10th Grade Nonpublic Pupils</td>
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## TRANSFERS

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<td>Starbase MN</td>
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## MDE / PERPICH / STATE ACADEMIES

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**In thousands**
Dear School Board Members and Superintendents,

The 2019 MSBA Legislative Summary is a comprehensive guide to the actions impacting E-12 education during the first regular session and first special session of the 91st Minnesota Legislature. The first special session was held May 24th and 25th to pass most of the state budget bills (including education) following an agreement between the Governor, the Speaker of the House, and the Majority Leader of the Senate.

New in this year’s Legislative Summary is a section titled, “MSBA Position,” which informs our membership of our position and action taken on a particular bill. Another new feature outlines the “Impact on School Board Policies.”

For many years, school board members have advocated for more local control and additional flexibility to make decisions that are best for all students. The MSBA Government Relations team, school board members and superintendents frequently wrote emails, spoke to legislators and testified in committee hearings on issues important for the effective and efficient management of our school districts to ensure equity and adequacy for ALL our students.

While Minnesota is the only divided legislature in the country, education funding brought support from both parties in order to provide over one-half of a billion dollars of new money for education. This new investment brought the following key wins that benefit all districts:

- Two percent formula increase each year ($126 per pupil and an additional $129, respectively)
- Largest investment to-date, to freeze the growth in the special education cross-subsidy
- Voluntary Pre-K extension for two years
- Few controversial policy provisions
- One-time funding for safe schools (contingent on the FY19 closing balance)
- More statewide funding, less funding through grants

While the E-12 public education portion of the budget did fare well in comparison to other state budget areas, more work still needs to be done in the second year of the biennium.

The release of this publication comes at a time when school boards have finalized budgets and analyzed the impact on districts. School boards are now well positioned to prioritize issues for the 2020 Legislature. MSBA will continue to advocate on your behalf. We can’t do this alone. As MSBA’s Government Relations team travels throughout Minnesota on its Fall Advocacy Tour, we look forward to hearing great ideas from members to help our public schools and the students they serve. These ideas are the springboard for Delegate Assembly resolutions and legislative platforms.

Thank you for your advocacy on behalf of our 850,000 public school students. Our Government Relations staff does an outstanding job representing our 333 public school boards, but your voice and input from the field make us even stronger.

Sincerely,

Kirk Johnson-Larson

MSBA - 2019 Legislative Summary | Page 3
The 2019 Legislative Session began on January 8 with a $1.05 billion budget surplus. The next five months were spent in committee meetings, testifying, debating, amending, and eventually assembling omnibus spending and policy bills.

Last year’s election ushered in a fresh political landscape with a new Governor, a former teacher; a new Democratic majority in the House, predominately suburban females; and a Republican majority in the Senate, with only a two-vote margin. All were committed to “working together to make divided government” work and to “increase transparency and timeliness” of the new session.

Once again, everyone agreed on accelerated deadlines to ensure completing the legislative session on time. As the session ended, a global target for education and other parts of the state budget seemed elusive. Finally, the education conference committee was handed a $543 million spending target – much less than the House ($900 million), while much larger than the Senate ($211 million).

In a final effort to end the session on time, the Speaker, Majority Leader, and Governor met with conference committee chairs and took control of the bills, providing the chairs with priorities and guidelines. Nevertheless, in the final hours of the 2019 session, it was clear the work would not be completed on time. Only the Higher Education Omnibus bill passed during regular session. After four days of “working groups” for lawmakers to complete bills; all omnibus bills passed during a one-day Special Session. One week later, all the budget bills (13) were signed into law by Governor Walz.

The following is a breakdown of the education budget. Almost three-fourths of the spending target was dedicated to the basic education formula increase, with special education as the next biggest spending item. Together, they account for 88 percent of the entire education budget.
First Special Session, Education Omnibus Bill (HF 1)

Leadership Agreement Items

2% and 2% basic formula increase - $388,815,000
Increases to the general education basic formula of $126 per pupil the first year of the biennium and $129 per pupil the second year. This increases the basic formula allowance from $6,312 per pupil in fiscal year 2019 to $6,438 per pupil in fiscal year 2020 and to $6,567 per pupil for fiscal years 2021 and later. See district runs in Appendix.

**MSBA Position:**
MSBA and school board members testified in support of a 3% increase to the general education formula for each year of the biennium. This policy provision was a top legislative platform priority. MSBA does have a Legislative Policy (1.002) on this issue.

**Impact on School Board Policies:**
This provision has no impact on MSBA model policies.

Special education aid - $90,691,000
Increases the special education aid by the amount needed to hold the state average cross-subsidy per pupil ($820) constant at the fiscal year 2019 level. See district runs in Appendix.

Special education formula reform (See insert on special education on page 28)
Beginning in fiscal year 2020, the following special education formula changes will take effect:

- Creates a new category of special education aid called cross-subsidy reduction aid, and includes cross-subsidy aid in the definition of special education aid,
- Phases out the special education aid cap,
- Reduces the tuition billing rate or “billback” paid by the resident school district for open enrolled special education students served by another district or charter school, and
- Adjusts the hold harmless to reduce the reliance on the fiscal year 2016 base and factors in current year costs.

**MSBA Position:**
MSBA testified on multiple bills in support of increasing special education funding, reforming the special education funding formula and special education paperwork mandate reduction. MSBA worked with legislators in both the House and Senate to author bills on each of these provisions. MSBA does have Resolutions on these issues (1.024 - Formula, 1.027 - Paperwork, 1.029 - Reduce Cross Subsidy).

**Impact on School Board Policies:**
This provision has no impact on MSBA model policies.
Voluntary Prekindergarten / School Readiness Plus - $46,786,000

Extends funding for two years the 4,000 seats set to expire after fiscal year 2019 for two years only. See appendix for district runs.

**MSBA Position:**
MSBA did testify in support of this bill. MSBA does have related Legislative Policies on this issue.

**Impact on School Board Policies:**
This provision has no impact on MSBA model policies.

School safety supplemental aid - contingent, up to $30,000,000

Makes a one-time appropriation of up to $30 million, contingent on the balance projected at the close of the 2019 legislative session. If the balance exceeds $63 million, $30 million is distributed to school districts and charter schools on a per pupil basis. If the balance is more than $33 million, but less than $63 million, the amount over $33 million is distributed on a per pupil basis. If the full $30 million is appropriated, approximately $34 per student is distributed after October 1, 2019, on a schedule to be determined by the Commissioner of Education. Districts must reserve the aid and use it for the same purposes as the safe schools levy.

**MSBA Position:**
MSBA testified on several bills to continue or provide school safety grants for schools. MSBA does have a Legislative Policy (1.075) on this issue and another relating to last year's grant (1.068).

**Impact on School Board Policies:**
This provision has no impact on MSBA model policies.

Tribal contract school aid - $3,434,000

Increases the tribal contract aid amount for fiscal years 2020 and later. Converts $3,230 per pupil to 51.17 percent of the basic formula allowance (this links future amounts to increases in the basic formula allowance).

Minnesota Department of Education (MDE) operating increase - $8,514,000

Provides funds to MDE for:
- litigation fees that relate to the Cruz-Guzman case,
- operating adjustment for department increases, and
- funds to maintain the state's mainframe computer and the associated applications.
Finance Items Determined by Conference Committee

**Education Partnership Program – Tier 2 implementing grants - $1,540,000**
Grants to the Northfield Healthy Community Initiative in Northfield; the Jones Family Foundation for Every Hand Joined program in Red Wing; the United Way of Central Minnesota for the Partners for Student Success program; for Austin Aspires and for the Rochester Area Foundation for the Cradle to Career program. New reporting required: collect and utilize data to improve student outcomes, sharing disaggregated performance data, employing continuous improvement processes, and demonstrating an ability to leverage non-state funds.

**P-TECH school grants - $1,000,000**
Establishes P-TECH schools as a public-private partnership to prepare students for high-skill jobs of the future in growth industries. Establishes P-TECH objectives, application and approval process, and grant awards. Allows an eligible district to receive concurrent enrollment aid for a student enrolled in a P-TECH school.

**Northwest Regional Partnership - $1,000,000**
A grant to the Lakes Country Service Cooperative to operate a continuing education program to support concurrent enrollment.

**MSBA Position:**
MSBA has testified in support this bill. MSBA does have a similar Legislative Policy (3.004) on this issue.

**Impact on School Board Policies:**
This provision has no impact on MSBA model policies.

**St. Paul college savings account pilot program - $500,000**
A matching grant to the city of St. Paul to establish a pilot program that creates a college savings account for every child born to a resident of the city of St. Paul during the time period for which funds are available, and requires an analysis of potential establishment of a statewide program or program duplication by other cities.

**Suicide prevention training for teachers grant - $265,000**
A grant to a nationally recognized provider of evidence-based online training on suicide prevention and engagement of students experiencing mental distress.

**Minnesota Center for the Book - $250,000**
A grant to the entity designated by the Library of Congress as the Minnesota Center for the Book to provide statewide programming related to the Minnesota Book Awards and for additional programming throughout the state related to the Center for the Book designation.
Minnesota Council on Economic Education - $235,000
This grant is to be used to provide professional development to Minnesota’s kindergarten through grade 12 teachers implementing state graduation standards in learning areas related to economic education; and support the direct-to-student ancillary economic and personal finance programs that Minnesota teachers supervise and coach.

MSBA Position:
MSBA did testify in support of this bill as the preferred approach to improving financial literacy education. MSBA does not have a Legislative Policy on this issue.

Impact on School Board Policies:
This provision has no impact on MSBA model policies.

MacPhail Center for Music - $200,000
This grant is for the MacPhail Center for Music to broaden access to music education in rural Minnesota. The program must supplement and enhance an existing program and may provide individual instruction, sectional ensembles, other group activities, workshops, and early childhood music activities. The MacPhail Center must design its program in consultation with music educators who teach in rural Minnesota.

Civic education grants - $150,000
This grant is for the Minnesota Civic Education Coalition, Minnesota Civic Youth, Learning Law and Democracy Foundation, and YMCA Youth in Government to provide civics education programs for Minnesota youth ages 18 and younger.

MSBA Position:
MSBA did testify in support of this bill as the preferred approach to improving civics education. MSBA does have a Legislative Policy (4.010) on this issue.

Impact on School Board Policies:
This provision has no impact on MSBA model policies.

Reach Out and Read Minnesota - $150,000
A grant to support Reach Out and Read Minnesota to expand a program that encourages early childhood development through a network of health care clinics, and for the purchase of culturally and developmentally appropriate books to sustain and expand the program in partnership with health clinics statewide.

High school equivalency tests - $240,000
Requires the Commissioner to pay the full fee for a high school equivalency test, rather than only 60 percent of the fee, for fiscal years 2020 and 2021.
Pregnant and parenting teens transportation - $112,000
Expands the definition of regular transportation aid to include the transportation of “pregnant and parenting pupils” to and from a school program that provides academic instruction, at least four hours of parenting training a week, and high-quality childcare on site with the capacity to serve all children of enrolled pupils.

- Adds a second cost component to the pupil transportation adjustment aid to account for a school district's categorical revenue for transporting a pregnant or parenting pupil to and from a qualifying school site.
- Requires the program to have been established prior to January 1, 2018, or to be in operation on or after July 1, 2021.

**MSBA Position:**
MSBA testified in support of this bill, as it believed eliminating barriers for pregnant and parenting teens was important to increase graduation rates. MSBA does have a Legislative Policy (1.026) on this issue.

**Impact on School Board Policies:**
This provision has no impact on MSBA model policies.

Collaborative Urban and Greater Minnesota Educators of Color grant program - $99,000

- Requires Public Educators Licensing Standards Board (PELSB) to award competitive grants to increase the number of teacher candidates who are of color or American Indian and meet the requirements for a Tier 3 license.
- Requires a recipient to report to the legislature and the Board on the use of funds and outcomes. Requires Board to report to the public a summary of activities, outcomes, and sharing of effective practices.

**MSBA Position:**
MSBA did testify in support of the Teachers of Color Act and increasing the number of teachers of color and American Indian teachers. MSBA does have a Legislative Policy (3.007) on this issue.

**Impact on School Board Policies:**
This provision has no impact on MSBA model policies.

Teachers of Color – mentoring and retention incentive grants - $1,500,000
Ongoing funding to encourage school districts to develop mentoring programs for teachers who are American Indian or in a license shortage area.

**MSBA Position:**
MSBA testified on several occasions to support initiatives to increase the number of teachers of color and American Indian teachers in classrooms. MSBA does have a Legislative Policy (3.007) on this issue.

**Impact on School Board Policies:**
This provision has no impact on MSBA model policies.
Race 2 Reduce - $50,000
Grants to support Race 2 Reduce water conservation programming in Minnesota schools:

- $10,000 is for H2O for Life to provide project management and support, Minnesota Green Corps member hosting, curriculum development and classroom instruction assistance, school outreach, and community volunteer training.
- $30,000 is for Independent School District No. 624, White Bear Lake, for Race 2 Reduce curriculum development, teacher in-service training, service-learning activities, and community public awareness events.
- $10,000 is for competitive grants to schools to implement the water conservation curriculum and co-develop the central platform. Minnesota school districts and charter schools may apply to the Commissioner in the form and manner determined by the Commissioner of Education.

Post-Secondary Education Option (PSEO) nonpublic students - $20,000
Authorizes nonpublic students in 10th grade to participate in PSEO career and technical education courses.

E-12 Policy Provisions

School board control of extracurricular activities to align with Government Accounting Standards Board (GASB) 84 & 87
Aligns school board responsibility for extracurricular activities to GASB requirements 84 and 87.

- Requires a school board to take charge of and control all extracurricular activities.
- Requires a school district to reserve revenue raised for extracurricular activities and spend the revenue only for extracurricular activities.

School boards will need to review each student activity account not under board control to determine whether the activity belongs under a district's general fund or should not be a part of the district's financial system, (i.e.: outside organizations such as Booster Clubs). Effective July 1, 2019.

MSBA Position:
MSBA did testify on this bill as a provision necessary to align Minnesota statute with new Government Accounting Standards Board requirements. MSBA does not have a Legislative Policy on this issue.

Impact on School Board Policies:
MSBA has a model policy (713) on this issue.

English learner; Early Middle College program
Allows an early middle college program to serve an English learner with an interrupted formal education who is not yet 22 years old, for fiscal years 2020 and 2021.
Simplification of local optional revenue (LOR)
Modifies local optional revenue so that the revenue no longer needs to be factored into a district’s referendum revenue. Transfers $300 per pupil unit of referendum revenue to LOR. Keeps the revenue and equalization levels the same. Conforms equity revenue, referendum allowance, referendum allowance limit, referendum equalization levy and aid to the realignment of local optional revenue.

**MSBA Position:**
MSBA did testify in support of this bill to increase the simplification of accessing LOR. MSBA does not have a Legislative Policy on this issue.

**Impact on School Board Policies:**
This provision has no impact on MSBA model policies. However, there is a Model Resolution in the MSBA Service Manual, Chapter 13D, attachment H, that may be eliminated.

Civics
Encourages a school district to offer a civics course for credit to 11th and 12th grade students.

**MSBA Position:**
MSBA testified in opposition to the original bill, which required a civics class in 11th or 12th grade as a requirement for graduation. MSBA’s position is a requirement would reduce the number of electives a student could take, as well as the policy went against local control. MSBA does have a Legislative Policy (4.010) asking the legislature to eliminate the civics test requirement.

**Impact on School Board Policies:**
This provision has no impact on MSBA model policies.

Dyslexia screening
Requires a school district to screen for characteristics of dyslexia, in a locally determined manner, students identified as not reading at grade level by the end of kindergarten, grade 1, and grade 2.

Requires a district to screen students for characteristics of dyslexia, in a locally determined manner, in grade 3 or higher, who demonstrate a reading difficulty, unless a different reason for the reading difficulty has been identified.

**MSBA Position:**
MSBA negotiated language with the House bill author and other education stakeholders. As a result, language was changed from requiring screening of all students. Negotiated language also allows districts to determine the way screening is done rather than a prescribed or required method. MSBA does have not have a Legislative Policy on this issue.

**Impact on School Board Policies:**
MSBA has a model policy (601) on this issue.
**Dyslexia teacher training**
Requires a teacher preparation program for elementary education teachers to include scientifically-based or evidence-based, structured reading instruction.

Requires programs preparing elementary education, early childhood education, special education, and reading intervention teachers to include instruction on dyslexia. The instruction on dyslexia must address:

- the nature and symptoms of dyslexia;
- resources available for students who show characteristics of dyslexia;
- evidence-based instructional strategies for students who show characteristics of dyslexia; and
- outcomes of intervention and lack of intervention for students who show characteristics of dyslexia.

**Statewide testing**

- Requires the Commissioner to establish a testing period as late as possible each school year for schools to administer the Minnesota Comprehensive Assessments to students.
- Removes the requirement that the Commissioner establish empirically derived benchmarks on adaptive assessments in grades 3 through 8.
- States that Minnesota’s growth measure compares a student’s achievement scores over time and removes references to value-added growth measures, School Performance Reports and public reporting. Strikes the references to low, medium, and high growth.
- Defines medium growth and high growth for purposes of the literacy incentive aid program.

**Post-Secondary Education Option (PSEO)**

- Requires a school district to notify a student of PSEO opportunities by the earlier of (1) at least three weeks before the student must register for district courses or (2) March 1 of each year.
- Requires a post-secondary institution to allow high school students to enroll in an online course consistent with the institution’s policy.
- Directs the Office of Higher Education to inform students with intellectual and developmental disabilities of postsecondary education options.
- Requires districts and post-secondary institutions offering “introduction to teaching” dual-credit courses to report on certain enrollment demographics.
- Allows an Opportunities Industrialization Center, accredited by the United States Department of Education to be an eligible institution for the Post-secondary Enrollment Options Program.

**American Indian education**
Requires that American Indian education parent advisory committee submit reasons for nonconcurrence with educational programs for American Indian students offered by the school board directly to the school board.
**Career technical education (CTE) grants**
Clarifies that at least one service cooperative must collaborate to provide career and technical education opportunities for the rural CTE grants established in 2017. Authorizes rural CTE grants for consortia consisting of one or more service cooperatives.

**Report on the safety of youth in skilled trades**
Directs the Commissioner of Labor and Industry to study ways to improve safety of middle and high school aged students who receive hands-on training in skilled trades. Directs the Commissioner to report to the jobs committees and the education committees of the legislature.

**Construction and skilled trades counseling**
Requires the Commissioner of Labor and Industry to collaborate with the Department of Education on construction and skilled trades counseling.

**Public employer compensation reduction prohibited**
Prohibits the public employer of a Professional Educator Licensing and Standards Board (PELSB) member from reducing the member’s compensation or benefits because of the member’s absence from employment when engaging in board business.

**Background checks**
- Requires background check fees to be deposited in an account in the special revenue fund.
- Strikes the authority for a licensing board to issue a license pending completion of a background check.
- Requires the PELSB to contract with the Commissioner of Human Services to conduct background checks.
- Authorizes tribal organizations to contract with the Commissioner of Human Services to conduct background studies of individuals affiliated with a childcare program sponsored, managed, or licensed by a tribal organization.
- Authorizes Head Start programs to contract with the Commissioner of Human Services for background studies. Exempts a Head Start program that does not contract with the Commissioner, is not licensed, and is not registered for funding under chapter 119B from chapter 245C.

**Mandatory reporting**
Adds a superintendent, charter school board, charter school executive director, and charter school authorizer to mandatory reporting statute.

**MSBA Position:**
MSBA did not testify on this bill. MSBA does not have a Legislative Policy on this issue.

**Impact on School Board Policies:**
MSBA has a Model Policy (414) on this issue.
Maltreatment of minors

- Requires law enforcement to inform PELSB or Board of School Administrators (BOSA) after determining a Board’s licensee has physically abused, sexually abused, or neglected a child.
- Requires the Commissioner of Education to provide the investigative file in a determination of maltreatment involving a Board licensee to the licensing entity with student identifying information removed.
- Modifies definition of “sexual abuse” to include solicitation of children to engage in sexual conduct and communication of sexually explicit materials to children.
- Requires MDE to investigate allegations of maltreatment involving students ages 18 to 21 until graduation.

Mental health education

Requires the Commissioner of Education to provide districts with mental health resources, including resources on suicide and self-harm prevention, intended for students beginning in grade four.

Possession and use of sunscreen

Allows a student to have and use sunscreen at school or school events without a prescription or note from a health professional. A school employee is not required to provide sunscreen or help apply sunscreen to a student.

**MSBA Position:**
MSBA did testify on this bill. MSBA does not have a Legislative Policy on this issue.

**Impact on School Board Policies:**
This provision may alter the MSBA Model Policy (516) relating to the use of an over-the-counter drug in school.

Lead in school drinking water; frequency of testing and reporting

- Adds charter schools to testing requirements.
- Requires a school district or charter school that finds lead in cooking or drinking water to formulate, make publicly available, and implement a plan consistent with established guidelines and recommendations to ensure student exposure to lead is minimized.
- Requires districts and charter schools to follow actions in guidance from the Commissioners of Health and Education.
- Requires districts and charter schools to remediate the presence of lead to below the level set in the guidance, verified by retest, or directly notify parents of the result.
- Requires districts and charter schools to make the water source unavailable until the hazard has been minimized.

**MSBA Position:**
MSBA negotiated and accepted bill language that would reduce administrative and reporting requirements. MSBA does not have a Legislative Policy on this issue.

**Impact on School Board Policies:**
This provision has no impact on MSBA model policies.
Disposing of surplus school computers
In addition to authority available under current law to transfer surplus school computers to another school district, the state Department of Corrections, the Minnesota State system, or a family in the school district whose income is at or below the federal poverty level, this bill authorizes a school district to transfer a computer to a charitable nonprofit registered with the attorney general's office, or to sell or give a surplus computer to currently-enrolled district students who intend to enroll the following year. Requires the district to give priority to those students eligible for free or reduced-price meals and distribute the remaining computers by lottery.

**MSBA Position:**
MSBA did not testify; however, MSBA supports local control on this bill. MSBA does not have a Legislative Policy on this issue.

**Impact on School Board Policies:**
MSBA has a Model Policy (802) on this issue.

Energy use reduction and reporting for public schools
Requires a public school or school district to enter and maintain monthly energy consumption data into the Minnesota B3 benchmarking program for each school building. States that a school or district must not be penalized for failure to do so.

Early learning scholarship account

- Creates an early learning scholarship account in the special revenue fund.
- Transfers all appropriations for early learning scholarships into this account, and annually appropriates the money to the Commissioner of Education for early learning scholarships.
- Allows for carryforward of unspent dollars, so that appropriations do not cancel to the general fund.
- Makes $950,000 annually available to MDE for administrative costs of the early learning scholarships program.

Service cooperatives agreement
Adds Service Cooperatives to the definition of governmental unit for the purpose of joint powers. Service Cooperatives are made up of “governmental units” as defined in the joint powers act.
Single District Items

Fund transfers

**Truman.** Authorizes the Truman Public School District to transfer up to $65,000 from its early childhood and family education reserve account and $45,000 from its school readiness reserve account in the community service fund to its undesignated general fund.

**Minnetonka.** Authorizes Minnetonka Public Schools to transfer up to $3.3 million from its community education reserve account to its reserved for operating capital account for the construction costs associated with the district’s early childhood or community education spaces.

**Hopkins.** Authorizes Hopkins Public Schools to transfer up to $500,000 from its community education reserve account to the reserved operating capital account in its general fund for the costs of constructing and equipping an early childhood classroom addition.

**Karlstad Elementary School; sparsity aid**

Authorizes elementary sparsity aid for the Karlstad Elementary School in the Tri-County School District for fiscal year 2020 and 2021 only.

**Breckenridge School District; postsecondary enrollment options**

Allows Breckenridge Public Schools to enter into an agreement with an out-of-state higher education institution for the purposes of the postsecondary enrollment options program.
First Special Session

Tax Omnibus Bill (HF 5)

Referendum equalization levy
$9,000,000 property tax relief in fiscal year 2021 and $600,000 for additional referendum aid for charter schools. Increase equalization factor for Tier 2 (new Tier 1) of the referendum levies and conforms with technical provisions in the 2019 Education Omnibus Bill that convert the board-approved portion of Tier 1 referendum revenue to the local optional program. Effective for fiscal year 2021 and later. See Appendix for district runs.

**MSBA Position:**
MSBA did testify in support of equalization. MSBA does have a Legislative Policy (2.002) on this issue.

**Impact on School Board Policies:**
This provision has no impact on MSBA model policies.

School building bond agricultural credit
Increases the school building bond credit from:
- 40-50 percent in Pay 2020 ($10,900,000)
- 55 percent in Pay 2021 ($18,200,000)
- 60 percent in Pay 2022 ($27,200,000)
- 70 percent in Pay 2023 and after

Effective beginning with property taxes payable in 2020.

**MSBA Position:**
MSBA has testified in support of this bill. MSBA does have a Legislative Policy (2.001) on this issue.

**Impact on School Board Policies:**
This provision has no impact on MSBA model policies.

School District Bond Authorization
Eliminates the public notice requirement for school districts prior to the solicitation of bids so that notice is required only before the issuance of bonds or before the final certification of levies.
Agriculture, Rural, Development and Housing Omnibus Bill (SF 1)

**Border-to-Border Broadband grant program**
$20,000,000 in fiscal year 2020 and $20,000,000 in fiscal year 2021 are appropriated from the general fund to the Commissioner of the Department of Employment and Economic Development (DEED) for the border-to-border broadband grant program. $250,000 each year is for the Broadband Development Office.

**MSBA Position:**
MSBA has testified on this bill. MSBA does have a Legislative Policy (1.072) on this issue.

**Impact on School Board Policies:**
This provision has no impact on MSBA model policies.

**Farm-to-school grants**
$100,000 each year to expand the international marketing opportunities for farmers and value-added processors, including staffing to facilitate farm-to-school sales and new markets for Minnesota-grown hemp.

**Farm-to-School Innovation**
Not to exceed $400,000 each year to develop and enhance farm-to-school markets for Minnesota farmers by providing more fruits, vegetables, meat, grain, and dairy for Minnesota children in school and child care settings including, at the Commissioner of Agriculture’s discretion, reimbursing schools for purchases from local farmers, and may provide funding not to exceed $300,000 each year for urban youth agriculture education or urban agricultural education or urban agriculture community development.
Environment and Natural Resources Omnibus Bill (SF 7)

Office of School Trust Lands (OSTL) – Operations
$187,000 each year to the OSTL from the general fund. The legislature appropriated an additional $300,000 each year of the FY20-21 biennium to the OSTL to fund the Director, OSTL staff, operating expenses, and a variety of projects to ensure long-term management of the school trust lands for its multi-generational beneficiaries.

OSTL – Project specific appropriations
The legislature extended two prior appropriations to OSTL and modified the appropriation language at OSTL’s request.

1. Extends the deadline for a $250,000 one-time appropriation to permit OSTL to complete an Asset Management Plan to guide school trust land management over the next twenty-five-year period.
2. Extends the deadline for a $500,000 appropriation to permit OSTL to collaborate with the Department of Natural Resources (DNR) and USDA Forest Service on the Boundary Waters Canoe Area Wilderness (BWCAW) land exchange project.

Permanent School Fund appropriations
$433,000 to the DNR for the fiscal years 2020-21 biennium (fiscal year 2020 - $215,000; fiscal year 2021 - $218,000) to fund DNR’s work to secure maximum long-term economic return from school trust lands. This fiscal years’ 2020-2021 appropriation language is a modification of prior appropriations that directed DNR to utilize the Permanent School Fund dollars to advance school trust land sales and commercial leasing of school trust resources.

School trust compensation
The legislature modified DNR’s ability to compensate the School Trust, first by extending the requirements of when compensation is required, and then how DNR can accomplish the compensation necessary. Now, the DNR must compensate the School Trust when its management diminishes or prohibits long-term revenues; prior to this statutory change, DNR’s position was that it did not have to compensate for decisions that diminished School Trust revenues. Additionally, the legislature gave DNR authority to lease school trust lands as a compensation mechanism the DNR’s only previous options were either acquire or exchange.

Administrative support for School Trust Lands director
The legislature clarified statutory language that DNR, not MDE, is to provide administrative support services to the School Trust Lands Director.

No Child Left Inside grant program
Creates a program to provide grants for outdoor environmental, ecological, and other natural-resource-based education and recreation programs serving youth.

Basic angling student curriculum
Requires DNR to develop a basic angling curriculum and to make it available without cost to nonprofit organizations operating fishing leagues for high schools.
School-Linked Mental Health grants - $1,200,000
The Commissioner of Human Services shall establish a school-linked mental health grant program to provide early identification and intervention for students with mental health needs and to build the capacity of schools to support students with mental health needs in the classroom.

**MSBA Position:**
MSBA has testified in support of this issue. MSBA does have a Legislative Policy (1.050) on this issue.

**Impact on School Board Policies:**
This provision has no impact on MSBA model policies.

Tobacco products prohibited in public schools
No person shall at any time smoke, chew, or otherwise ingest tobacco or a tobacco product, or inhale or exhale vapor from, carry, or use an activated electronic delivery device in a public school or in a charter school. No person under the age of 18 shall possess any of these items.

Smoking – redefined
"Smoking" means inhaling or exhaling smoke from, burning, or carrying any lighted or heated cigar, cigarette, pipe, or any other lighted tobacco or plant or heated product containing, made, or derived from nicotine, tobacco, marijuana, or other plant, whether natural or synthetic, that is intended for inhalation. Smoking also includes carrying a lighted cigar, cigarette, pipe, or any other lighted tobacco or plant product intended for inhalation, carrying, or using an activated electronic delivery device.

**MSBA Position:**
MSBA did not testify on this bill. MSBA does not have a Legislative Policy on this issue.

**Impact on School Board Policies:**
MSBA does have a model policy (419) on this issue.
Public buildings
Stylistic clarification of the definition of “public building” relating to building projects for school districts and charter schools. Clarifies statutory language without imposing any new requirements beyond those that already exist under state and federal law.

Construction Careers Foundation
$375,000 each year is appropriated from the workforce development fund for the construction career pathway initiative to provide year-round educational and experiential learning opportunities for teens and young adults under the age of 21 that lead to careers in the construction industry. This is a one-time appropriation.

Required statement of earnings by employer; notice to employee
Adding to information required on an employee earnings statement. The new information required includes the basis of pay (hourly, salary, piece rate, etc.), any allowances for meals or lodging, and the address and phone number of the employer. The section also requires an employer to give a written notice to an employee at the start of employment. That notice must include a variety of information about employee pay and the employer and must be signed by the employee and kept by the employer. Finally, the section requires an employer to provide written notice to an employee whenever anything in the original written notice changes.

Retainage
Current law permits a public contracting agency to reserve up to five percent from any progress payment to a contractor on a contract for a public improvement. This withheld amount is "retainage." New language adds specific requirements when using retainage in public building and construction contracts for public improvements. Under current law, the agency may hold the retainage until work is complete. New requirements and prohibitions on public construction contracts related to retainage are as follows:

- **Retainage released within 60 days after substantial completion.** Retainage must be released no later than 60 days after substantial completion of a construction project, but some funds may be withheld. The contractor must pay retainage to its subcontractors within 10 days after receiving retainage payment, unless there is a dispute about the work. The contractor must pay retainage to any subcontractor whose work is not involved in the dispute and must provide a written statement detailing the amount and reason for the withholding to the affected subcontractor.

- **Allowable withholding.** After substantial completion, what can be withheld is (1) 250% of the cost to correct or complete work known at the time of substantial completion, and (2) the greater of $500 or 1% of the value of the contract for "final paperwork." "Final paperwork" is defined as documents required to fulfill contractual obligations including, but not limited to, operation manuals, payroll documents for projects subject to prevailing wage requirements, and the withholding exemption certificated required by Minn. Stat. § 270C.66. If any payment is withheld for these reasons, a written statement must be promptly provided to the contractor,
including the amount and basis of withholding. Any withheld amounts must be paid within 60
days after completion of the work or submission of final paperwork.

- **Any retainage reduction passed onto subcontractors.** If the amount of retainage is reduced,
the contractor must reduce retainage at the same rate for subcontractors.

- **Definition of “substantial completion.”** For this statute, “substantial completion” is defined
consistently with Minn. Stat. §541.051, subd. 1(a), which is the date when construction is
sufficiently completed so that the owner can occupy or use the improvement for the intended
purpose. For streets, highways, and bridges, “substantial completion” is defined as the date
when construction-related traffic devices and ongoing inspections are no longer required.

- **Retainage cannot be held for warranty work.** Withholding retainage for warranty work is
prohibited. This provision does not waive any rights to warranty claims.

- **Certain requirements before payment must be paid.** The portion of a construction project
funded with federal or state aid is only required to be paid when the federal or state aid has
been received. Nothing in this section requires payment for a portion of a contract that is not
complete or for which an invoice has not been submitted.

Effective Aug. 1, 2019 and applies to agreements entered into on or after this date.

Summary provided by the League of Minnesota Cities.

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**Judiciary and Public Safety Omnibus Bill (SF 8)**

**School Safety Center**

$250,000 each year one-time is to hire two additional school safety specialists in the Minnesota School
Safety Center.

**Sexual conduct legal definitions**

Minnesota’s criminal sexual conduct statutes were revised to expand coverage to persons in “current or
recent” positions of authority, to mandate law enforcement response to victim’s claims of criminal sexual
conduct, and other, related changes.
Legacy Finance Omnibus Bill (SF 3)

Arts Education Minnesota State Arts Board (MSAB)
$4,900,000 in fiscal year 2020 and $4,950,000 in fiscal year 2021 are for high-quality, age-appropriate arts education for Minnesotans of all ages to develop knowledge, skills, and understanding of the arts.

Statewide history programs
$5,846,000 in fiscal year 2020 and $7,004,000 in fiscal year 2021 are for historic and cultural programs and purposes related to the heritage of the state. Of this amount, $250,000 each year must be used by the Minnesota Historical Society to either produce or purchase and to distribute a book to engage and educate elementary school students on Minnesota’s natural resources, legacy, culture, and history. The book should be made available for free to educators and libraries and through state historical society sites to provide to a targeted grade of elementary school students.

Wilderness inquiry
$375,000 each year to Wilderness Inquiry for the Canoe Mobile program, which provides students with an outdoor educational experience aligned with the Minnesota history graduation standards.

Minnesota census 2020 mobilization
Requires the Commissioner of Administration to implement a Census 2020 Mobilization program.

Regional library system
$2,550,000 each year is appropriated to the Commissioner of Education for grants to the 12 Minnesota regional library systems to provide educational opportunities in the arts, history, literary arts, and cultural heritage of Minnesota.

Water safety grants
$50,000 each year is appropriated to the Commissioner of Education for a water safety grant program. The Commissioner of Education must determine the criteria for allocating grants to provide low-income and at-risk children scholarships for swimming lessons or to hire and train water safety instructors.
Transportation Finance Bill (HF 6)

Safe Routes to School
$500,000 each year from the general fund for the Safe Routes to School Program.

School bus traffic regulations
Traffic regulations related to school buses:
- requires drivers to yield to a school bus that is attempting to enter a lane of travel from a shoulder, right-turn lane, or other location used for passenger loading or unloading; and
- allows school bus operator to re-enter traffic from a right-turn lane after loading or unloading students, instead of being required to turn.

School bus lighting
Modifies provisions on school bus lighting and visibility and authorizes supplemental warning systems for school buses.

School bus color
Allows the rub rails on school buses adjacent to the beltline (the area below the windows) to be either black or yellow.

School bus testing programs
Allow school districts and school bus companies that have third-party testing programs to administer road and skills tests to drivers for other school districts or school bus companies.
### Pensions and Retirement Omnibus Bill (HF 10)

**Pension Contributions**

Creates a one-year exemption for the City of St. Paul and the St. Paul School District, allowing them to continue to make contributions to supplemental pension and retirement plans on behalf of trade union employees for one year, until June 30, 2020. Current law prohibits contributions to supplemental plans unless specifically allowed as an exception; however, the exceptions in current law do not cover most of the contributions being made by these employers to a number of multi-employer plans.

### Regular Session

**Epinephrine auto-injector (SF1257 and HF925)**

**Epinephrine auto-injector**

This bill authorizes individuals who complete an anaphylaxis training program to possess, provide, and administer epinephrine auto-injectors to persons believed to be experiencing anaphylaxis and extends the Good Samaritan immunity from liability to these individuals. Specifies that the possession and administration of epinephrine auto-injectors at a public school is governed by another law.

**MSBA Position:**

MSBA worked with the authors on bill language. MSBA does not have a Legislative Policy on this issue.

**Impact on School Board Policies:**

MSBA does have a Model Policy (516) on this issue.
Higher Education Omnibus Bill (HF 2544)

**College Possible**
$450,000 per year is transferred to College Possible to support programs encouraging low-income students to attend and graduate from college. The funding must be allocated proportionally to students from greater Minnesota and the seven-county Metropolitan area and must only be used for supporting students who plan to attend colleges and universities in Minnesota.

**Aspiring Minnesota Teachers of Color Scholarship program established**
$1,000,000 per year for a new scholarship program for aspiring Minnesota teachers of color. Student teacher candidates who are of color or American Indian who have made satisfactory academic progress must have priority for receiving a grant from available funds to student teach and complete their preparation programs if they meet eligibility requirements.

**Teacher shortage loan forgiveness**
$250,000 each year is transferred to the teacher shortage loan forgiveness account.

**Student Teacher Candidate Grants in shortage areas**
$2,700,000 per year; of this amount, $2,200,000 is set aside for candidates belonging to a racial or ethnic group underrepresented in the teacher workforce and meeting other eligibility requirements. Amends existing program for stipends to student teachers who intend to teach in high-need fields and areas, or who belong to racial or ethnic groups underrepresented in the teacher workforce. Amends definition of “licensure shortage areas.” Establishes priority for candidates of color or who are American Indian who have made satisfactory academic progress.

**MSBA Position:**
MSBA has testified in support on this bill. MSBA does have Legislative Policies (3.007 and 3.019) on this issue.

**Impact on School Board Policies:**
This issue does not impact MSBA model policies.
**Snow Days (SF 1743)**

**Snow days**

A school district in need of extra days due to inclement weather may count days needed with some caveats.

- The board of a school district or charter school that canceled school on one or more days during the 2018-2019 school year due to health and safety concerns *may* count those days as instructional days for purposes of calculating the number of hours and days in the school year.

- If a school district *would not* have met the required minimum number of days and hours of instruction for students, it *must report* to the Commissioner of Education the number of days and hours that the district counted to meet the required days and hours of instruction. A district is also *encouraged* to adopt an e-learning plan.

- *If* a school board resolves to count a day that school was canceled as an instructional day, the school district *must* compensate employees and contract employers by paying them or allowing them to work another day the school designates.

- The minimum number of days of teacher service that a probationary teacher *must complete equals the difference between 120 days and the number of scheduled instructional days that were canceled due to health and safety concerns and that the school board resolved to count as days of instruction.*
2019 – THE YEAR OF SPECIAL EDUCATION

Minnesota may be the only state with divided government, but it was unified in making major strides with special education this session. School board members and administrators knew district budgets were tight, partially due to the ever-increasing special education cross-subsidy. Education organizations were unified that special education funding was a top priority, and lawmakers responded.

MSBA membership played a significant role in moving the discussion forward. The 2018 Delegate Assembly passed a resolution to reform the special education funding formula, and the New Ulm Public Schools district brought forward ideas to reduce special education paperwork mandates in the classroom.

Special Education Funding and Reform

Before the 2019 Legislative Session began, MSBA’s Delegate Assembly worked on resolutions that would aid efforts at the Capitol. One resolution urged the legislature to adopt one predictable and equitable special education formula which would eliminate the cap and return transportation to a fully funded dedicated revenue source. The resolution brought forth by the New London-Spicer School Board passed unanimously, 109-0, as the room broke out in spontaneous applause.

Special education funding received a good deal of attention this session, as its impact is felt in every school district across the state. Several Metro superintendents testified their districts were at the cap. Dr. Tom Melcher, director of finance for Minnesota Department of Education, suggested lawmakers may want to change the formula to restore the predictability and equity in the recently changed formula.

After several bills, testimony and hearings, MSBA was pleased to see a two percent increase on the general education formula and $91 million to slow the growth of the special education cross-subsidy; together, poised to provide relief in many districts.

MSBA believes the passage of legislation to increase revenue and reform special education, after decades of the special education cross-subsidy consuming a good portion of the formula increase, is truly a milestone. As one board member said, “With the attention given to the special education cross-subsidy aid, this means 2% and 2% on the formula really does mean 2 and 2.” Much work is left to do, but the table has been set for next year.

Special education aid - $90,691,000

Increases the special education aid by the amount needed to hold the state average cross-subsidy per pupil ($820) constant at the fiscal year 2019 level. See district runs in Appendix.
Special education formula reform
Beginning in fiscal year 2020, the following special education formula component changes will take effect:

- Creates a new category of special education aid called cross subsidy reduction aid, including cross-subsidy aid in the definition of special education aid,
- Phases out the special education aid cap,
- Reduces the tuition rate or “billback” paid by the resident school district for open enrolled special education students served by another district or charter school, and
- Adjusts the hold harmless to reduce reliance on the fiscal year 2016 base and factors in current year costs.

Special education cross-subsidy reduction aid
Special education cross-subsidy aid is a percentage of each district’s initial cross-subsidy for the prior fiscal year:
- Sets the aid amount equal to 2.6 percent of the unreimbursed cross subsidy for fiscal year 2020 and 6.43 percent of the cross-subsidy for fiscal year 2021 and later. Charter schools would not be eligible.

Special education cap
- Cap is increased to the greater of the current cap or the sum of 56% of current year program costs plus 100% of the current year special education transportation cost plus the tuition adjustment.
- Special education cap is eliminated for fiscal year 2021 and beyond.

Special education pupil-driven initial aid formula
Updates the pupil-driven portion of the initial special education aid formula to reflect 2018 data. This results in an increase in initial aid for districts where the pupil-driven formula generates the least aid of the three initial formulas.

Special education tuition billing
- Reduces the tuition rate paid by the resident district for open enrolled students from 90 percent to 85 percent of the unfunded costs for fiscal year 2020 and to 80 percent for fiscal year 2021 and later.
- Adjusts the general education revenue for a charter school student, equal to 5 percent in fiscal year 2020 and 10 percent in fiscal year 2021 and later, of the unreimbursed cost of providing special education services to the student. Charter schools will receive additional special education aid from the state to fully fund the impact of the tuition billing change.
Special education hold harmless or minimum aid

Creates a new minimum aid amount. Reduces the hold harmless guarantee for districts where special education expenditures have fallen or grown very slowly since fiscal year 2016, so that the hold harmless does not result in the district receiving a very high percentage of its costs covered by the formula, before adjusting for tuition, compared with other districts.

- Minimum aid guarantee is limited to the sum of:
  - 90 percent for fiscal year 2020, 85 percent for fiscal year 2021, 80 percent for fiscal year 2022, and 75 percent for fiscal year 2023 and later plus 100 percent of the district’s transportation costs, plus the tuition adjustment.
  - Annual inflation adjustment is reduced by .2 percent per year until the inflation adjustment reaches 2 percent.

Special Education Paperwork Reduction

MSBA solicited ideas in the Weekly Advocate, and New Ulm Public Schools district submitted six proposals. Initiated by the district’s special education team, the team quantified the number of hours that potentially could be saved by a special education teacher annually. MSBA worked with legislators to draft several bills based on the New Ulm proposal.

There was a flurry of attention from the media and on social media relating to special education; articles published on how the DFL and GOP lawmakers wanted to trim special education paperwork, the rising cost of special education, and its impact on districts.

MSBA led the charge by orchestrating hearings in the Senate and the House. Testifiers included a myriad of professionals who work with special education students - teachers, directors, superintendents and an attorney, all of whom wholeheartedly believe providing students the best education is the priority. The testimony confirmed that special education teachers are leaving the classroom because of the overabundance of paperwork.

Five of the six bills were included in the House Education Omnibus bill, and four of five were included in the Senate E-12 Education Omnibus bill. Normally, legislators refer to provisions that are in both bills as “sames and similars” and those provisions are adopted and become law. This session was not “normal”. In the

“Denise Dittrich, associate director of Government Relations for MSBA, provided some historical context for the discussions. ”14-years ago, Congress took proactive steps when its reauthorized IDEA to intentionally reduce the paperwork burden on school personnel,” said Dittrich. Minnesota did not follow suit and has retained its special education laws and rules. 45 Minnesota statutes have at least 19 provisions that exceed federal requirements.”
last week of the education conference committee, negotiations stalled due to differences in education budget targets between the House and Senate. Unfortunately, time ran out and only two provisions made the final bill and became law. MSBA will work with legislators once again in 2020 to bring the remaining bills, especially a bill to allow a stand-alone functional behavioral assessment, to the next session. The following bills passed:

**Alternative dispute resolution; additional requirements for prior written notice**
Requires the prior written notice to state that a parent who objects to a proposal or refusal in the notice may identify the specific part of the proposal or refusal the parent objects to and request a meeting with appropriate members of the Individual Education Plan (IEP) team.

**Alternative dispute resolution; conciliation conference**
Requires a district to have a meeting of appropriate members of the IEP team when a parent who objects to a proposal requests the meeting.
Requires a district to hold a conciliation conference within ten calendar days of when the district receives the parent’s request for the conference, rather than from when the district receives the parent’s objection to a proposal or refusal in the prior written notice.

**Individualized education program; rule amendment**
Requires the Commissioner of Education to amend the rule to allow, but not require, an individualized education program to report a student’s performance on general state or districtwide assessments.
NEW REQUIREMENTS
FOR SCHOOL DISTRICTS

Possession and use of sunscreen
Allows a student to have and use sunscreen at school or school events without a prescription or note from a health professional. A school employee is not required to provide sunscreen or help apply sunscreen to a student.

Lead in school drinking water; frequency of testing and reporting.
- Adds charter schools to testing requirements.
- Requires a school district or charter school that finds lead in cooking or drinking water to formulate, make publicly available, and implement a plan consistent with established guidelines and recommendations to ensure student exposure to lead is minimized.
- Requires districts and charter schools to follow actions in guidance from the Commissioners of Health and Education.
- Requires districts and charter schools to remediate the presence of lead to below the level set in the guidance, verified by retest, or directly notify parents of the result.
- Requires districts and charter school to make the water source unavailable until the hazard has been minimized.

Energy Reporting
Beginning October 1, 2019, each public school or school district reporting on behalf of a public school must enter and maintain monthly utility consumption data into the Minnesota B3 benchmarking program for all buildings under its custodial control. Reporting by a third party, including automatic reporting by an electric or gas utility, may be used to meet this requirement. A school or school district must not be penalized for failure to comply with this section.

Dyslexia screening
Requires a school district to screen for characteristics of dyslexia, in a locally determined manner, students identified as not reading at grade level by the end of kindergarten, grade 1, and grade 2. Requires a district to screen for characteristics of dyslexia, in a locally determined manner, students in grade 3 or higher who demonstrate a reading difficulty, unless a different reason for the reading difficulty has been identified.

American Indian education
Requires that the American Indian education parent advisory committee submit reasons for nonconcurrence with educational programs for American Indian students offered by the school board directly to the board.

Post-Secondary Education Option (PSEO)
Requires districts and post-secondary institutions offering “Introduction to Teaching” dual-credit courses to report on certain enrollment demographics.
**Required statement of earnings by employer; notice to employee**

Adds to information required on an employee earnings statement. The new information required includes the basis of pay (hourly, salary, piece rate, etc.), any allowances for meals or lodging, and the address and phone number of the employer. The section also requires an employer to give a written notice to an employee at the start of employment. That notice must include a variety of information about employee pay and the employer and must be signed by the employee and kept by the employer. Finally, the section requires an employer to provide written notice to an employee whenever anything in the original written notice changes.

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**NEW REPORTS DUE**

**Suicide Prevention**

The grant recipient must report to the Commissioner of Education the number of teachers completing the online training, average length of time to complete training, and length of average stay using the online training. The Commissioner must survey online training users to determine their perception of the online training. By January 8, 2021, the Commissioner must report the grant recipient’s information and the survey results to the chairs and ranking minority members of the legislative committees having jurisdiction over kindergarten through grade 12 education.

**Collaborative Urban and Greater Minnesota Educators of Color grant program**

- Requires a recipient to report to the legislature and PELSB on the use of funds and outcomes.
- Requires board to report to the public a summary of activities, outcomes, and sharing of effective practices.

**Safety of youth in skilled trades**

- Directs the Commissioner of Labor and Industry to study ways to allow for the safety of middle and high school aged students who receive hands-on training in skilled trades. Directs the Commissioner to report to the jobs and education committees of the legislature.
LOOKING AHEAD

Issues to Watch in 2020

As a part of the “leadership agreement” there would be no controversial policy items without the approval of both the House and the Senate. The upside to this decision is there were very few controversial policy items included in the education omnibus bill, while the downside is that school boards can count on many issues resurfacing – and then some.

Policy Items

- Sexual harassment redefined
- Comprehensive sexual education curriculum required
- School board vacancy appointments - elections
- Special education paperwork reduction
- Nonexclusionary discipline, expulsion/exclusion policies and procedures
- Summative rating for schools and districts
- K-12 tax credits for scholarships
- School lunch debt – policies to prohibit shaming
- Pre-K Fair Pupil Dismissal Act – modification for PreK.
- Civics course required for high school graduation in 11th or 12th grade
- Financial literacy course for credit as a graduation requirement
- Civics scores added to school performance reports and public reporting
- Adult Basic Education (ABE) and Early Childhood and Family Education (ECFE) teachers’ continuing contract rights
- Adult Basic Education (ABE) and Early Childhood and Family Education (ECFE) teachers’ comparable salaries
- Student journalists-newspapers, yearbooks and media
- Potential changes to the Four-Tiered Teacher Licensure System:
  - limits the Tier 1 (unless good cause) to one renewal
  - allows Tier 1 teacher to be included in bargaining unit
  - limits Tier 2 license to two renewals
  - requires Tier 2 to have cultural competency prior to renewal
  - allows Tier 1 in bargaining unit
  - eliminates pathway to Tier 3 based on three years of teaching experience with no improvement plan
  - requires a superintendent to provide the school board with the number of teachers in each school building with Tier 1, 2, 3, and 4 licenses, and who do not meet professional teaching standards and have been placed on an improvement process. Requires the school board and PELSB to publish this data
**Finance Items**

- Paid family and medical leave
- Minimum of inflationary increase on per pupil formula
- Special education cross-subsidy
- Operating referendum renewal by school board resolution
- Assessment of property values for big business and utilities
- English language (EL) funding
- Elimination of requirement to set aside an increasing portion of compensatory revenue for extended time programs

**Interim Advocacy**

This fall, newly elected House members and Governor Walz will be holding town hall meetings and touring the state. Senators will be doing the same since they will be up for re-election in 2020. Please take advantage of this opportunity to engage with all your legislators.

Here are some questions to ask your local legislators:

- Would you support a supplemental education budget formula increase of one percent to help keep up with inflation?
- How would you propose working to continue reducing the special education cross subsidy?
- Would you support aligning Minnesota law with federal law to reduce special education paperwork mandates?
- How would you support local school boards? Would you refrain from supporting statewide, unfunded mandates?
2019 Advocacy Schedule

Summer Seminar – Minneapolis Marriott Northwest, Brooklyn Park
- Monday, August 5

Fall Advocacy Tour
MSBA Government Relations team will review the 2019 advocacy efforts and describe the 2020 legislative landscape and issues. Please join us for a light supper at 5:30 pm; meeting will begin at 6:00 pm. Please note, these dates and locations are subject to change, please check the website for up-to-date information.
- Tuesday, September 10 (St. Peter and Marshall)
- Wednesday, September 11 (Staples and Fergus Falls)
- Thursday, September 12 (Thief River Falls)
- Tuesday, September 17 (Cloquet and Sartell)
- Wednesday, September 18 (Grand Rapids and Willmar)
- Thursday, September 19 (Rochester)
- Saturday, September 21 (Twin Cities Metro)
- Friday, September 27 - last day to submit resolutions to be considered for the Delegate Assembly

Pre-Delegate Assembly Meetings
- Wednesday, November 13 (Rochester)
- Thursday, November 14 (Little Falls)
- Saturday, November 16 (Twin Cities)
- Tuesday, November 19 - Webinar

Delegate Assembly – DoubleTree by Hilton Hotel Minneapolis - Park Place
A new slate of delegates will be elected this year for two-year terms. We strongly encourage you to consider becoming a delegate. The deadline for nominations is August 31. We would welcome your participation in the 2019 Delegate Assembly.
- Friday, December 6
- Saturday, December 7

2020 Legislative Session begins!
- Tuesday, February 11, 2020

mark your calendars

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Acknowledgements

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Photo Credit

Cover photo of Governor Walz– msn.com
Cover photo of Capitol and bus – Andrew VonBank, Minnesota House of Representatives

Thank You

We hope you found our MSBA 2019 Legislative Summary helpful in your key role as a school board member. We appreciate your advocacy throughout the session.

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Stay Informed

A great way to stay informed during the legislative session is to receive the Weekly Advocate, a weekly email with updates on bill introductions, bills of interest, hearings on important issues and legislative alerts on how you can get involved and make a difference. To sign-up, please contact Bruce Lombard at blombard@mnmsba.org.

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Appendix

2019 Special Session K12 Omnibus: Gen Ed Formula Allowance 2% and 2%; VPK/SRP Extended; Special Education Aid Added; ECFE Revenue Increase

2019 General Fund Aid Appropriation Summary

Referendum Equalization Provisions – Special Session Omnibus Tax Agreement