

# 2022 LEGISLATIVE SUMMARY



# 2022 Legislative Summary

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*Indicates significant MSBA advocacy effort*

## Executive Summary



The 2022 MSBA Legislative Summary is a guide to the actions impacting E-12 education during the regular session in the Minnesota Legislature.

The 93rd legislature convened on January 31, 2022. The regular session ended on the constitutionally mandated date of May 23th with only a handful of bills passed. Notably, the education, tax and health and human services bills were left on the cutting room floor with nothing passed. Legislators gave their farewell speeches and went home to their districts. We held out hope they would be called back into a special session by Governor Walz.

The pandemic was still present when the session began. The Capitol was open to the public and the legislature was working both remotely and in a hybrid capacity. The Government Relations team began their work by meeting with every education committee member to review our legislative platform and to share our top priorities – eliminating the special education and English language cross-subsidies, working with districts to combat the staffing shortage crisis and not implement any new unfunded mandates.

What was unexpected during this session was the \$9.25 billion surplus. Every group was vying for a piece of the surplus. Together with Rep. Dan Wolgamott and Sen. Kari Dziedzic, MSBA authored a bill to eliminate the special education cross-subsidy. With such a large surplus, MSBA believed spending \$822 million would be not only a reasonable request, but it would allow the legislature to finally pay in full the largest unfunded mandate districts experience.

The release of this publication comes at a time when legislators are back in their districts and will be campaigning heavily as every seat in the state is up for reelection. We urge you to get to know the candidates and have serious discussions about what your district is facing. We also know that school board elections will be another critical component to the November elections. We urge you to follow MSBA throughout the summer and look for MSBA's suggested questions in the MSBA Voter Guide.

It is more important now than ever that school boards share insights and concerns to prioritize issues for the 2023 Legislature. MSBA will continue to advocate on your behalf, but we cannot do this alone. As MSBA's Government Relations team prepares for summer and fall events, we look forward to listening to 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.

We would like to 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,

A handwritten signature in black ink that reads 'Kirk Schneider'.

Executive Director

## Education Bills of Interest

### Education Data Provisions (HF 2353)

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This bill classifies “education support services data”—a term defined in the bill— as private data on individuals. The bill protects Minnesota students from having their data be used in ways not relevant to the student’s educational experience. For example, having their data be sold by a vendor to marketing companies for research on children’s media consumption or technological habits.



### School Board Pay (SF 3107)

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This bill increases the maximum amount a school board member who is employed by the school district may earn from that employment. The current limit is \$8,000 and the bill raises it to \$20,000. The school board member must be approved by a majority of the school board to be employed by the school district.

## Other Bills of Interest

### Drought Relief, Agriculture (HF 3420)

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#### Instruction in meat cutting and butchery

\$1,000,000 the second year is to provide grants to secondary career and technical education programs for the purpose of offering instruction in meat cutting and butchery. This is a onetime appropriation.

Grants may be used for costs, including but not limited to:

- (1) equipment required for a meat cutting program;
- (2) facility renovation to accommodate meat cutting; and
- (3) training faculty to teach the fundamentals of meat processing.

The commissioner may receive applications from eligible programs and make grants of up to \$100,000, up to ten percent of which may be used for training faculty. Priority may be given to applicants who are coordinating with meat cutting and butchery programs at Minnesota State Colleges and Universities system and local industry partners.

### Pensions (SF 3540)

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#### Retired Teacher Earnings Limitations

Permits retired teachers who resume teaching at a public school, charter school or the Perpich Center for Arts Education to teach without application of an earnings limitation. Application of the earnings limitation would otherwise cause pension payments to be deferred or forfeited. The earnings limit resume after the year 2024.

*Unless otherwise noted, all bills effective the day after enactment.*

## **Technical Clarifications and Correction**

Clarifies that the plan administrator of a 457(b) plan and the vendor of a 403(b) plan are responsible for providing required investment fund performance and fee information to participants and the Commission annually, a condition that must be satisfied to contribute public funds to the 457(b) or 403(b) plan as a supplemental plan.

Clarifies that contributions deducted from an employee's paycheck for sick, vacation, or severance pay are not subject to the match limits.

## **Environment and Natural Resources Trust Fund (HF 3765)**

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### **Teacher Field School: Stewardship through Nature-Based Education**

\$500,000 the second year is from the trust fund to the commissioner of natural resources for an agreement with Hamline University to create an immersive, research-backed field school for teachers to use nature-based education to benefit student well-being and academic outcomes while increasing stewardship habits.

### **Increasing K-12 Student Learning to Develop Environmental Awareness, Appreciation, and Interest**

\$1,602,000 the second year is from the trust fund to the commissioner of natural resources for an agreement with Osprey Wilds Environmental Learning Center to partner with Minnesota's five other accredited residential environmental learning centers to provide needs-based scholarships to at least 25,000 K-12 students statewide for immersive multiday environmental learning experiences.

### **Expanding Access to Wildlife Learning Bird by Bird**

\$276,000 the second year is from the trust fund to the commissioner of natural resources to engage young people from diverse communities in wildlife conservation through bird-watching in schools, outdoor leadership training, and participating in neighborhood bird walks.

### **ESTEP: Earth Science Teacher Education Project**

\$495,000 the second year is from the trust fund to the commissioner of natural resources for an agreement with the Minnesota Science Teachers Association to provide professional development for Minnesota science teachers in environmental and earth science to strengthen environmental education in schools.

### **Environmental Learning Classroom with Trails**

\$82,000 the second year is from the trust fund to the commissioner of natural resources for an agreement with Mountain Iron-Buhl Public Schools to build an outdoor classroom pavilion, accessible trails, and a footbridge within the Mountain Iron-Buhl School Forest to conduct environmental education that cultivates a lasting conservation ethic.

*Unless otherwise noted, all bills effective the day after enactment.*

## Frontline Worker Pay (SF 2677)

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To thank those Minnesotans who worked on the frontlines during the COVID-19 peacetime emergency, Gov. Tim Walz signed Frontline Worker Payments into law April 29, 2022, enabling those workers to apply for Frontline Worker Pay.

### To be eligible for Frontline Worker Pay, the applicant:

- must have been employed at least 120 hours in Minnesota in one or more frontline sectors between March 15, 2020, and June 30, 2021.
- for the hours worked during this time period the applicant –
  - was not able to telework due to the nature of the individual's work and
  - worked in close proximity to people outside of the individual's household;
- must meet the income requirements for at least one year between Dec. 31, 2019, and Jan. 1, 2022 –
  - workers with direct COVID-19 patient care responsibilities must have had an adjusted gross income of less than \$350,000 for married taxpayers filing jointly, or less than \$175,000 for other filers and
  - for workers in occupations without direct COVID-19 patient care responsibilities, the adjusted gross income limit is \$185,000 for married taxpayers filing jointly, or \$85,000 for other filers; and
- must not have received an unemployment insurance benefit payment for more than 20 weeks on a cumulative basis for weeks between March 15, 2020, and June 26, 2021 (Minnesota Statutes, section 268.085, subdivision 1, clause 6).

### The frontline sectors include:

- long-term care and home care;
- health care;
- emergency responders;
- public health, social service, and regulatory service;
- courts and corrections;
- child care;
- schools, including charter schools, state schools and higher education;
- food service, including production, processing, preparation, sale and delivery;
- retail, including sales, fulfillment, distribution and delivery;
- temporary shelters and hotels;
- building services, including maintenance, janitorial and security;
- public transit;
- ground and air transportation services;
- manufacturing; and
- vocational rehabilitation.

*Unless otherwise noted, all bills effective the day after enactment.*

## Omnibus Mental Health (SF 2725)

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HF2725, allows hospitals to increase mental health bed capacity across the state and allocates a total of \$92.7 million in funding for a variety of mental health initiatives, including:

- Nearly \$13 million to support children and youth experiencing mental health crises, as well as provisions to establish a first episode of psychosis grant program and to set parameters for children's residential facilities to provide crisis stabilization for children and youth for up to 30 days;
- Nearly \$11 million over three years in adult mental health initiative services;
- \$9.6 million for mobile mental health crisis services; and
- \$4.1 million to fund grants and loan forgiveness opportunities for mental health professionals and providers.

# Looking Ahead

## Issues to Watch in 2023

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### Policy Items

- Nonexclusionary discipline, expulsion/exclusion policies and procedures
- Pre-K Fair Pupil Dismissal Act - modification for PreK
- Social-emotional teaching and learning
- Prohibition of American Indian mascots
- Tobacco may be possessed by American Indians on school property
- Civics course required for high school graduation in 11th or 12th grade
- Personal finance course for credit as a graduation requirement
- Civics scores added to school performance reports and public reporting
- School board vacancy appointments - elections
- Adult Basic Education (ABE) and Early Childhood and Family Education (ECFE) teachers' continuing contract rights and comparable salaries
- Potential changes to the Four-Tiered Teacher Licensure System
- Require art standards to be state rather than local standards
- Require one credit of physical education
- Add performance measures and ethnic studies curriculum in the World's Best Workforce Plan
- Add participation in honors or gifted and talented programming and the percentage of students, by student group, who are on track for graduation to the World's Best Workforce report
- Additional prohibitions for prone restraints
- Require districts to adopt a rubric for teacher performance on culturally responsive methodologies and at least three levels of performance
- Require districts to provide instruction to help students identify, prevent, and reduce prohibited conduct
- Require contract negotiation to include class size, state assessments and student to teacher ratios
- Expand short-call substitute program
- Allow a school board to redefine instructional hours
- Provide school board authority to operate an area learning center
- Expand definition of e-learning and online learning days
- Require teachers who are assaulted by a student to obtain a copy of the report submitted to the commissioner
- Require districts to disclose a student's violent behavior to a paraprofessional who is assigned to work with the student
- Constitutional amendment

## **Finance Items**

- Paid family and medical leave
- Operating referendum renewal by school board resolution
- Require paid paraprofessional training
- Earned safe and sick time
- Unemployment for non-licensed school employees
- Safe schools
- Equalization
- Full-service community schools
- School Trust Lands
- Special education cross-subsidy
- English learner cross-subsidy
- Teacher shortage (Teachers of Color and American Indian teachers)
- Literacy (LETRS)
- General education per pupil formula funding
- Inflation factored into the general education per pupil formula
- Declining enrollment
- Nutrition
- Mental health grants for staffing
- Voluntary pre-k
- Compensatory funding
- Vouchers or tax credits for private education
- Career and technical education funding
- Menstrual products



## 2022 Advocacy Schedule

### Fall Events

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The Government Relations team looks forward to seeing members at our three fall events:

1) Fall Advocacy Tour, 2) Pre-Delegate Assembly Meetings and 3) Delegate Assembly

#### Advocacy Tour – Meetings will be held virtually

Wednesday, September 14 @6:30 p.m. – North Areas  
Wednesday, September 21 @6:30 p.m. – Metro Areas  
Thursday, September 22 @6:30 p.m. – South Areas  
Friday, September 23 @9:00 a.m. - Open to all  
Tuesday, September 27 @6:30 p.m. – Central Areas

#### Pre-Delegate Assembly – Meetings will be held virtually

Tuesday, November 15 @6:30 p.m.  
Wednesday, November 16 @6:30 p.m.  
Thursday, November 17 @6:30 p.m.  
Saturday, November 19 @6:30 p.m.

#### Delegate Assembly

Friday, December 2 and Saturday, December 3.

#### 2023 Legislative Session begins!

Tuesday, January 2, 2023

#### Friday Chat Room with Denise and Kim

9:00 a.m. every Friday during the legislative session.

#### Weekly Advocate

The Weekly Advocate - a weekly email, each Monday during the legislative session, with updates on bill introductions, bills of interest and hearings on important issues and legislative alerts on how you can get involved and make a difference.



*mark your  
calendars*



## Acknowledgments

Thank you to Senate and House Research staff for the documents used to complete this summary.

## Photo Credit

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Thank you to Tom Olmsheid for the cover photo.

## Thank You

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We hope you found our MSBA 2022 Legislative Summary helpful in your key role as a school board member. We appreciate your advocacy throughout the session.

## Contact Us

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## Stay Informed

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- The Friday Chat Room - a 30 - minute weekly update during the legislative session.
- The Weekly Advocate - a weekly email with updates on bill introductions, bills of interest and 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](mailto:blombard@mnmsba.org).



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