

# LEGISLATIVE POSITIONS 2022-2023

Adopted December 2022



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# MINNESOTA SCHOOL BOARDS ASSOCIATION

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## *2022 LEGISLATIVE POSITIONS*

*Adopted December 2022*

## **1. SCHOOL FINANCE - STATE AID**

### **General Education Revenue**

- 1.001** Urges the legislature to fully fund public education. (2021)
- 1.002** Urges the legislature to reform the school finance system by embracing, prioritizing, and phasing in the recommendations of the Minnesota Department of Education (MDE) School Finance Working Group report, 80-20-10: Bringing Equity to the Minnesota School Finance System. (2021)
- 1.003** Urges the legislature to support a General Education Revenue Program that provides for adequate, stable, and equitable revenue as follows:
- Urges the legislature to support a uniform and equal application of the funding and policy components that will ensure adequate, equitable, and stable revenue for Minnesota's public school districts;
  - Supports designation of public education as the state's highest funding priority;
  - Urges the legislature to increase the General Education Revenue Program basic allowance by at least the rate of inflation;
  - Supports additional revenue to school districts that have costs related to sparsity, compensatory funding based on student eligibility for free and reduced lunch, and declining enrollment and growth; Supports equitable revenue access for all school districts through reduction of revenue disparities by leveling up low revenue access districts;
  - Supports legislation giving special consideration to providing adequate funding formulas, in addition to the General Education Revenue Program, for Summer Education Programs (through an equalized levy funding formula) and Staff Development/Improvement Programs; and
  - Supports increases to the basic General Education Formula allowance in a manner that produces a similar revenue increase among all school districts without further restricting local school board autonomy in the use of those funds (referendum deduct is an example).
- 1.004** Urges the legislature to establish, by statute, the level of per pupil funding within 30 calendar days from the submission of the governor's budget any further that the establishment of the state percent of funding shall be the only subject of such legislation.

**1.005** Urges the legislature to resolve or phase out the English Learner Cross-Subsidy by 2025. (2021)

**1.006** Urges the legislature to increase the base funding formula and index it to the rate of inflation in order to protect against future increased costs. (2017)

### Equity Funding

**1.007** Urges the legislature to provide general education disparity aid. (2015)

**1.008** Urges the legislature to increase equity funding and equalization revenue to reduce the difference between the highest and lowest funded school districts. (2013)

**1.009** Urges the legislature to support the adoption of a comprehensive education funding formula which brings greater equity to the funding formula, and which includes components that recognize variable costs which exist between school districts and provides adequate revenue to fund a basic comprehensive general education program.

**1.010** Urges the legislature to support necessary and equitable state tax programs to provide sufficient revenues to fund fully the necessary legislative appropriations for public school aids.

### Accounting Principles, Shifts and Transfers

**1.011** Urges the legislature to allow districts, as counties and cities are permitted, to maintain their authority to hire a Certified Public Accounting Firm for conducting school district annual financial audits while meeting all statutory requirements. (2020)

**1.012** Urges the legislature to enact permanent authority for a school district to transfer funds and accounts within the general fund.

**1.013** Urges the legislature to support all legislative and administrative procedures that provide stability to the funding process for elementary and secondary education and opposes any rescission or proration of state aid.

**1.014** Urges the legislature to support the concept of fund integrity, but in the event of a state aid rescission, as a secondary priority, supports the transfer of interest moneys from all nonoperating funds into the general fund.

**1.015** Urges the legislature in case of future loss of state funding appropriations, which were previously committed to school districts should have the option to choose which district fund(s) to reduce.

- 1.016** Urges the legislature to support legislation which would subtract the number of dollars that have been generated by referendum levy from the unreserved fund balance prior to identifying districts to receive deferred state payments.
- 1.017** Urges the legislature to oppose any constitutional amendments that dedicate state funding for a specific purpose that would otherwise be available for K-12 funding.
- 1.018** Urges the legislature to increase gifted education funding to \$39.00/ADM and these funds shall be used for identification, academic programing, and professional development towards improved academic experiences for gifted students in Minnesota. (2017)
- 1.019** Urges the legislature to repeal the 1999 law requiring that general education and referendum revenue be allocated initially to school districts, with any reallocation requiring board action and a report to the Commissioner of the Minnesota Department of Education.
- 1.020** Urges the legislature to support legislation allowing school districts to make personnel cutbacks during the school year when federal and/or state aids are withheld or rescissioned.
- 1.021** Urges the legislature to support funding of all current year aid programs with deficiency appropriations to prevent additional cash flow problems for districts.
- 1.022** Urges the legislature to support a state aid payment schedule for districts of 90 percent current year - 10 percent prior year.
- 1.023** Urges the legislature to oppose any legislation which would financially or otherwise penalize a school district for maintaining an adequate and necessary fund balance.
- 1.024** Urges the legislature to oppose legislation which would require a district to provide to the commissioner audited financial data on any date earlier than November 30.
- 1.025** Urges the legislature to provide 100 percent reimbursement for school districts costs associated with court-ordered placement of general education students.

### Special Education

- 1.026** Urges the legislature to adopt one predictable and equitable special education funding formula which eliminates the cap and returns transportation to a fully funded dedicated revenue source. (2018)
- 1.027** Urges the legislature to re-authorize and fund Level IV Special Education Professional Development Grants. (2018)

- 1.028** Urges the legislature to align Minnesota special education rules and statutes with federal law in the areas of conciliation conferences, state and district assessment reporting, IEP goals and objectives, transition services, functional behavioral assessments, and prior written notice. (2018)
- 1.029** Urges the legislature to create a task force to study the special education cross-subsidy with timeline and funding recommendations. (2017)
- 1.030** Urges the legislature to stabilize education funding by reducing the special education cross-subsidy by 25 percent. (2016)
- 1.031** Urges the legislature to request an education and economic impact statement on any significant change to special education rule or statute. (2013)
- 1.032** Urges the legislature to eliminate the cross-subsidy of special education programs by general education funds. The state shall assume the responsibility of supplying the additional revenue to fully fund the gap between the deficit in federal funding and the actual special education costs incurred by school districts.
- 1.033** Urges the legislature to support legislation on the state level and regulatory advocacy on the federal level to obtain consent for third party billing on state public assistance enrollment forms and a federal waiver from regulations that require school districts acquire third party insurer denials before billing medical assistance (MA)/medicaid.
- 1.034** Urges the legislature to support legislation to adjust upward the special education funding levels to more closely reflect reality; or provide school districts with assistance in holding down rising special education costs.
- 1.035** Urges the legislature to provide 100 percent reimbursement for charter school excess costs and tuition costs associated with court-ordered placement in special settings.
- 1.036** Urges the legislature to provide that public school districts are not required to subsidize other education service providers in the public school payment of tuition for court-ordered placement of children.
- 1.037** Urges the legislature to simplify and adequately fund special education services.
- 1.038** Urges the legislature to treat special education costs similar to human services which are built into the state budget forecast.
- 1.039** Urges the legislature to change the special education funding formula with the goals of simplification, predictability, and reduced reporting burden. Any changes should ensure that districts receive a greater portion of the costs incurred for the mandated services.

**1.040** Urges the legislature to oppose any special education mandates that exceed federal special education mandates.

## Transportation

**1.041** Urges the legislature to increase legal life limits on type III vehicles for schools from 12 to 14 years. (2022)

**1.042** Urges the legislature to authorize funding to cover the currently unfunded school district cost of transporting open enrolled students with disabilities for whom transportation is a required IEP service. (2018)

**1.043** Urges the legislature to adjust the sparsity formula of the school finance act to reflect the coefficients recommended in the 2002 pupil transportation report prepared by the Minnesota Department of Education (MDE) at the direction of the legislature.

**1.044** Urges the legislature to conduct a thorough study of district transportation needs and use results of the study to develop a transportation funding formula which meets district needs.

**1.045** Urges the legislature to reimburse districts for the total cost of charter, nonpublic school, and interdistrict desegregation student transportation.

**1.046** Urges the legislature to support legislation which gives local school districts the authority to levy the district's residents for the additional cost of hazardous busing. This funding would be unequalized and the cost borne by the residents of the district.

## Dedicated Funds

**1.047** Urges the legislature to provide greater funding for school-linked mental health grants and/or take action to allow mental health agencies to bill for services at the same rates as medical providers. Also provide GAP funding until such action is taken to immediately address the problem. (2022)

**1.048** Urges the legislature to move away from free and reduced-price lunch as a primary factor in computing compensatory revenue. (2021)

**1.049** Urges the legislature to equalize the Federal COVID relief dollars to those school districts who received less than the statewide average of funding with one-time money. (2021)

**1.050** Urges the legislature to expand full-service community schools funding to Minnesota schools that wish to participate. (2021)

- 1.051** Urges the legislature to move toward fully funding public school nutrition programs so all Minnesota families have equitable access to healthy meals contributing to overall community health and food security. (2021)
- 1.052** Urges the legislature to amend the shared time statute (Minnesota Statute § 126C.19) to allow shared time students (nonpublic and home school students who receive part-time instruction) to generate shared time membership aid for online courses. (2021)
- 1.053** Urges legislature to continue to fund the border-to-border broadband program to address the long-term need for affordable, high-speed broadband for all families and include funding to provide targeted, individualized support to families to ensure students can fully participate in distance, remote, e-learning, and online programs offered by the school district. (2020)
- 1.054** Urges the legislature to allow students in correctional and care and treatment programs to access extended day and extended year resources. (2019)
- 1.055** Urges the legislature to modify the compensatory formula to provide more stable funding for districts that are experiencing decreases due to undercounting of eligible children. (2019)
- 1.056** Urges the legislature to directly pay all educational costs for students who become wards of the state. (2018)
- 1.057** Urges the legislature to fund the Innovative Mental Health Grants established previously by the legislature. (2018)
- 1.058** Urges the legislature to amend the Safe Schools Levy Statute by adding education district program costs as authorized expenditures. (2018)
- 1.059** Urges the legislature to modify M.S. 123B.02, Subd. 21 to include “renewable energy” and “energy storage systems.” (2018)
- 1.060** Urges the legislature to create a source of funding for school districts to create innovative new programs to help in closing the achievement gap and improve learning for all students. (2016)
- 1.061** Urges the legislature to provide support and dedicated funding for the training of school staff on mental health issues, comprehensive school-based mental health services and building links between the schools and the community mental health system. (2016)
- 1.062** Urges the legislature to support the seven-year funding timeframe for English Learner (EL) students based on the need for acquisition of academic proficiency. (2015)



- 1.063** Urges the legislature to include in the compensatory funding formula a minimum of \$1,700 per compensatory pupil unit and allow flexibility in the use of funds to focus on closing the achievement gap and improving student outcomes for struggling students. (2014)
- 1.064** Urges the legislature to establish a categorical funding mechanism to assist school districts with the increasing costs of internet connectivity and of technology equipment in our schools today. (2014)
- 1.065** Urges the legislature to support modifying English Learner (EL) formulas to include an inflation adjustment.
- 1.066** Urges the legislature to provide a supplemental appropriation to Minnesota's public school districts to provide funding for school district energy costs, including the increased fuel costs of transportation.
- 1.067** Urges the legislature to support state aid for public school districts for alternative energy sources.
- 1.068** Urges the legislature to allow school districts to have greater flexibility in spending compensatory dollars for extended time. (2017)
- 1.069** Urges the legislature to provide, at least, an inflationary increase to the extended time component.
- 1.070** Urges the legislature to increase extended time revenue from 1.2 to 1.5 and link this to the general education formula so that future increases to the formula are passed onto extended time learning opportunities.
- 1.071** Urges the legislature to provide additional funding for school districts by increasing the EL per pupil allocation from \$700 to \$750.
- 1.072** Urges the legislature to repeal the 1999 law that mandates that the state aid portion of a district approved excess levy follows a student that enrolls in another district under the open enrollment law.
- 1.073** Urges the legislature to permanently and fully fund the Telecommunications/Internet Access Equity Aid. (2016)
- 1.074** Urges the legislature to provide funding to pay the costs of EEOC conciliation agreements, adjudicated costs, penalties, and fees, resulting from investigations of discrimination within the early retirement incentive/severance pay contract language.

- 1.075** Urges the legislature to support the implementation steps for voluntary metropolitan integration/desegregation programs by including funding for student recruitment/placement, two-year start-up funding for interdistrict schools equivalent to the start-up funding for charter schools, additional funding to support the increased administrative costs due to the interdistrict nature of these programs (e.g. collaboration, development of model magnet programs, data finance services, staff development efforts, etc.) magnet schools, interdistrict transportation for integration programs, programs to train and recruit teachers of color, an adequate legislative appropriation for and continued funding to school districts of the per pupil integration aid formula in the amount of \$93 per adjusted marginal cost pupil unit, the transfer of aids to participating districts to ensure no substantial losses in revenue, and debt service equalization aid for approved programs.
- 1.076** Urges the legislature to appropriate funding to reimburse school districts for costs associated with the mandatory school immunization law.
- 1.077** Urges the legislature to support legislation that states that Q Comp districts that have spent a minimum of two percent of their budget for Q Comp staff development shall be deemed to have met the requirements of the two percent staff development set aside state law.
- 1.078** Urges the legislature to establish a special legislative task force to study and make recommendations on the following compensatory education formula components: 1) The appropriateness of using free and reduced price lunches as the determining factor for revenue eligibility; 2) The educational effectiveness of distribution of revenue to sites instead of to the district; 3) The issue of accountability to the public for the decisions related to the expenditure of compensatory revenue when revenue is distributed by the state to the site instead of to the elected school board; 4) The narrow definition of what qualifies as a “site based decision making team” under the present statute; and 5) The impact on individual districts and school sites of the changes to compensatory revenue as enacted by the 1997 legislature.

## **Capital and Facilities**

- 1.079** Urges the legislature to authorize a School Board, by annual board resolution, to transfer money from its long-term facilities maintenance general fund reserve to its reserve account for operating capital. (2022)
- 1.080** Urges the legislature to expand the allowable uses of Long-Term Facilities Management (LTFM) to include:
- Building security improvements, emergency communications systems and devices, and for school resource officer personnel;
  - Energy efficiency improvements;
  - Playground equipment including accessibility and design;

- **Yearly influenza (flu) related costs; and**
- **Repayment of interest costs for health and safety projects. (2022)**

**1.081 Urges the legislature to increase the Long-Term Facilities Maintenance Bonding and Levy program for all school districts and expand allowable uses to include:**

- **Financing of new construction in lieu of remodeling when the total cost of remodeling exceeds 80 percent of the costs of new construction. Such new construction would be subject to the review and comment procedures;**
- **Energy conservation and efficiency projects; (2022)**

**1.082 Urges the legislature to fund facility improvements to support compliance with N.H. v. Anoka Hennepin. (2021)**

**1.083 Urges the legislature to make permanent the one-time School Safety Aid allocated in the 2019 special session E-12 Education Finance Bill and to include cooperative school districts, such as intermediate school districts, education districts, and service cooperatives to enhance safety for students and staff. (2019)**

**1.084 Urges the legislature to allow a school district that is within a year of making the last bond payments on a building project and is conducting a new bond election that will not increase the taxpayer's overall tax rate for repayment of building bonds may print the following statement on its ballot: "By voting 'yes' on this ballot question, you are voting to continue the existing tax rate for building bonds that would otherwise be reduced or eliminated." (2017)**

**1.085 Urges the legislature to support border to border high-speed internet access for all Minnesotans. (2014)**

**1.086 Urges the legislature to enact the recommendations of the facilities funding working group convened by the Minnesota Department of Education in 2013. (2014)**

**1.087 Urges the legislature to increase the formula allowance of \$100/pupil unit for facilities and \$73/pupil unit for equipment used in the calculation of operating capital in accordance with the regional consumer price index annually.**

**1.088 Urges the legislature to appropriate adequate revenue to allow Minnesota school districts to repair, remodel, and build buildings, address health, safety, and handicapped issues and meet the increasing technology demands for wiring, Internet accessibility and other technology needs.**

**1.089 Urges the legislature to enact legislation designating debt service as an open and standing appropriation.**

- 1.090** Urges the legislature to replace Adjusted Net Tax Capacity (ANTC), which is calculated by comparing current property sales with the taxable market value, or Net Tax Capacity (NTC), as the basis for the debt service equalization formula and the Maximum Effort Capital Loan Program with a new debt service net tax capacity, which will be calculated by comparing current property sales with the assessors' Estimated Market Value (EMV)
- 1.091** Urges the legislature to revise the Minnesota statutes to allow the accumulation of the debt service excess fund balance to be transferred to the operating capital for use by school districts for the betterment of school facilities.
- 1.092** Urges the legislature to support authorizing that public school boards may require sufficient school facilities be provided by 1) housing developers, 2) taxpayer referendums, 3) alternative revenue sources, or 4) by any combination thereof before a township, village, city, or county can approve a proposed housing subdivision.

## Equalization

- 1.093** Urges the legislature to increase the equalizing factors to referendum, local optional revenue, and debt service to reflect the growth in property wealth and those factors be adjusted upward on an ongoing basis to help maintain property tax fairness across the state. The escalation of county assessed property values and the continued erosion of state aid have shifted a greater burden to local taxpayers. (2022)
- 1.094** Urges the legislature to increase the equalization factors to address inequities among property taxpayers from one school district to another with the goal of fully equalizing the levies. Tie the equalization factors to inflation so they maintain their value over time. The levies include:
- Voter approved operating referendum;
  - Debt service levies;
  - School board approved local optional revenue (LOR) levy;
  - Operating capital;
  - Long-term facility maintenance levy; and
  - Lease Levy.
- (2022)
- 1.095** Urges the legislature to lower the debt service equalization eligibility threshold to 10 percent.

## Aid to Nonpublic Schools

- 1.096** Urges the legislature to oppose any new legislation requiring state education funds for nonpublic schools and opposes tuition tax credits for attendance in private elementary and secondary schools.

- 1.097** Urges the legislature to oppose increased state income tax deductions for parents of students attending nonpublic schools.
- 1.098** Urges the legislature to supports legislation that provides that home school students must participate in the statewide testing program for public school districts. The test results must be reported by the home school to the Commissioner of the Minnesota Department of Education who must aggregate the test scores and report the scores to the public.
- 1.099** Urges the legislature to enact legislation that provides prior to any parent, child or nonpublic school receiving public revenue for the use of tuition or other costs associated with that child attending the nonpublic school, the nonpublic school must certify that the school is in compliance with at least the following:
- Nondiscriminatory student admission and education program participation policies;
  - State and local building codes;
  - Nondiscriminatory hiring practices and prospective employee criminal background checks;
  - Prohibit the use of public funds to promote a religion;
  - The Pupil Fair Dismissal Act (M.S. 121A.40 - 121A.56)
  - Minnesota’s Open Meeting Law in regard to board of directors or school board meetings;
  - Generally accepted accounting and reporting standards;
  - Administrators and teachers meet the same licensure requirements as required for public school districts;
  - Minnesota’s Graduation Rule and Student Testing and Performance Reporting as required of public schools;
  - Minnesota’s Government Data Practices Act; and
  - Minnesota’s Public Employment Labor Relations Act.
- 1.100** Urges the legislature to oppose a state or federal voucher system plan for public or nonpublic schools for the distribution of state and federal support of educational programs and institutions.
- 1.101** Urges the legislature to support approval of nonpublic schools by an existing state agency and supports enforcement of this standard by the state agency rather than the local school superintendent by filing complaints against the private school director rather than each parent.
- 1.102** Urges the legislature to establish an enforceable definition of a school.
- 1.103** Urges the legislature to fund the administrative functions for home schools.
- 1.104** Urges the legislature to amend M.S. 125A.18 to be consistent with relevant provisions of the federal Individuals with Disabilities Education Improvement Act (IDEA), 20 U.S.C.

§1401, to acknowledge that students placed by their parents in a nonpublic school do not have an individual right to a Free Appropriate Public Education (FAPE).

## Charter Schools

- 1.105** Urges the legislature to require that charter schools and traditional K-12 schools be held accountable to the same measures of reporting and financial accountability under state law.
- 1.106** Urges the legislature to support legislation that would allow local school districts the same flexibility as charter schools and further provide state aid to school districts for the full cost of providing transportation and special education services to charter schools.
- 1.107** Urges the legislature to amend M.S. 124E.01 charter schools to: 1) require an application for a proposed charter school to be valid only for a specific address; 2) require the sponsor of a proposed charter school to state in their application how the proposed charter school's enrollment would impact the intensity of segregation of an existing racially identifiable school in that community; and 3) require the Minnesota Department of Education commissioner not to approve a proposed charter school application, if the charter school's enrollment will intensify the segregation of an existing racially identifiable school and/or will create a new racially identifiable school in that community.

## Mandates

- 1.108 Urges the legislature to resist new statewide mandates and, if absolutely necessary, provide full funding for the implementation of the mandates, and annually review existing unfunded mandates and modify or repeal where possible. (2022)**
- 1.109** Urges the legislature prior to and after a mandated program is enacted, consideration and implementation of the following:
- a cost impact study;
  - Full state funding of the mandated program to include implementation and additional administrative overhead costs;
  - A systematic procedure should be adopted guaranteeing that all of the appropriate governmental agencies affected by the proposed mandated program are consulted during deliberation;
  - Prior to statewide implementation, full funded pilot sites should be selected in order to determine effectiveness and feasibility of carrying out the mandate;
  - Prior to statewide implementation, all existing laws and regulations should be changed to accommodate the mandate; and

- A sunset provision should be adopted three years after statewide implementation to determine whether continued funding is justified.  
If state aid commitments are reduced in the future, mandated programs not fully funded should not be required by the state.

- 1.110** Opposes the enactment of legislation mandating class size.
- 1.111** Opposes the establishment of mandatory breakfast programs in public schools.
- 1.112** Supports legislation to provide financial resources for, but not mandate, year-round school.
- 1.113** Opposes legislation which requires school districts to provide full-day, every-day kindergarten.

## **2. TAXATION – LEVIES**

### **Voter-Approved Levy Referenda**

- 2.001** Urges the legislature to support legislation to rescind all statutes limiting the ability of local school boards to submit referendum questions to their voters and to gain voter approval for such referenda, to wit: 1) Allow local school boards to set their election dates; 2) Remove the requirement of prejudicial language on mailings to taxpayers that would tend to influence voters to vote a certain way, or eliminate the requirement for a costly mailing entirely; and 3) Repeal of the provision that all referenda approved after November 1, 1992, will be levied against market value rather than tax capacity.
- 2.002** Urges the legislature to amend M.S. 211A and 211B to exclude school boards from the definition of “committee” and clarify that a “disbursement” includes expenditures to provide information that advocate for the promotion or defeat of a ballot question, but not expenditures to provide neutral information only.
- 2.003** Urges the legislature to modify current Minnesota statutes and move to one universal referendum cap that is calculated at the current highest level available to any Minnesota public school district.
- 2.004** Urges the legislature to provide school boards with discretionary levy authority to renew expiring referendum levies for a period of time not to exceed the amount and the time period of the original levy. A condition of this authority is that a school board will conduct a public hearing notifying all taxpayers of the district of said meeting prior to approval of the levy.
- 2.005** Urges the legislature to repeal any statute that “sunsets” school district operating levies.

- 2.006** Urges the legislature to allow districts that have had a failed operating levy attempt and have a positive fund balance of three percent or less to hold an election that meets current state election laws in order to seek voter approval of an operating referendum up to three times per calendar year.
- 2.007** Urges the legislature to remove the requirement of M.S. 275.60 which provides that new excess levy and bond referendum ballots must contain the following language, “By voting “Yes” on this ballot question, you are voting for a property tax increase.”
- 2.008** Urges the legislature to oppose any legislation which would have the local tax portion of a school district’s voter approved operating levy follow a student who enrolls in a charter school within the school district boundaries.
- 2.009** Urges the legislature to oppose any legislation which would require the voters to approve any tax increases (excluding excess operating levy and school bond issues) by an election ballot vote and/or approval of a school district budget by a majority vote of district residents at a local public hearing/meeting.
- 2.010** Urges the legislature to eliminate seasonal/recreational exemption from voter approved operating levy funding.

### **Board-Approved Levies**

- 2.011** Urges the legislature to make health and safety funding available to districts who purchase property with the intent of converting the facility to occupancy “E” Facility. (2022)
- 2.012** Urges the legislature to eliminate the Lease Levy cap and expand allowable uses to include:
- **Installation of alternative forms of renewable energy and equalize the lease levy energy conservation and efficiency projects;**
  - **Leasing space for technology equipment and network operations;**
  - **Repurposing or retrofitting closed schools for other educational purposes for three fiscal years after the school board has closed a public school. (2022)**
- 2.013** Urges the legislature to adjust the LTFM formula, so new construction and the increase in new square footage of a building, without decommissioning an existing building, does not result in a reduction of LTFM revenue. (2020)
- 2.014** Urges the legislature to: (1) allow school districts to use lease levy for cooperative facilities, even if they once owned the facility; (2) allow Long-Term Facility Maintenance (LTFM) to be used to enhance leased facilities from public and private owners; (3) provide



greater Minnesota school district members of cooperatives the authority to levy up to \$65 per pupil for cooperative facilities, the same as school district members of metro intermediates; and, (4) allow school districts to form joint powers boards to bond for improvements and new facilities. (2019)

- 2.015** Urges the legislature to allow the amount of the Safe Schools Levy to be determined by the local school board and to include school districts and cooperative school districts, such as intermediate school districts, education districts, and service cooperatives, to enhance safety for students and staff. (2019)
- 2.016** Urges the legislature to increase the Local Optional Revenue by indexing it to the basic formula. (2019)
- 2.017** Urges the legislature that the calculation for seasonal/recreational property in the tax base used for the Long-term Facilities Maintenance Revenue Program be adjusted to cover the removal of seasonal/recreational property from the tax base and increase the equalization factor enough to ensure other school districts are not penalized by the change. (2015)
- 2.018** Urges the legislature to allow the amount of the safe schools levy to be determined by the local school board.
- 2.019** Urges the legislature to eliminate the “Pupil Enrollment Growth” from statute as a criterion for consideration by the Commissioner of Education in authorizing a school district to exceed the lease levy limit. Further urges that the statutory five-year limitation for exceeding the lease levy limit be eliminated.

### **Tax Increment Financing (TIF)**

- 2.020** Urges the legislature to support mandated school board approval on any use of tax increment financing within the school district boundaries.
- 2.021** Urges the legislature to restrict tax increment financing to industrial and commercial use meeting any one of the following criteria: 1) New long-term real job growth; 2) Job expansion of existing industrial and commercial business; and 3) Job retention of existing industrial and commercial business. Further Urges the legislature to enact legislation which provides that: 1) Tax increment districts cease to exist once the revenue collected are sufficient to retire the bonds; 2) Any two elected governmental units affected negatively by tax increment, beyond bond redemption, shall have the right by joint resolution to call for a public election as to whether the tax increment district shall continue; 3) All appreciated market values of all property in a TIF district, beyond the values used to compute the retirement of bonds at the time of their issuance, be distributed in the normal manner as if the tax increment district did not

exist; 4) If tax increment funding is used to remove buildings and property from the property tax rolls, the tax increment district shall provide makeup funds to the other local units of government, thus maintaining their revenue source and not causing them to increase taxes because of a smaller tax base; and 5) In any tax increment district where fund balances exist which exceed the full bonded indebtedness of that district, that those excess funds be returned to the county auditor for distribution to each taxing authority within the tax increment district proportional to distribution as if the tax increment district did not exist.

## Other Tax Policies

- 2.022** Urges the legislature to allow districts who are assessed non-member access fees by intermediate schools and cooperatives to levy to recover the cost of those fees. And further, to allow member districts of an intermediate and cooperative to levy for membership fees. (2019)
- 2.023** Urges the legislature to support legislation that would provide state funding for school district costs related to inaccurate state-assessed property values. (2017)
- 2.024** Urges the legislature to exempt school employee health clinics from state and local property taxes. (2013)
- 2.025** Urges the legislature to exempt student parking fees from Minnesota sales tax. (2013)
- 2.026** Urges the legislature to restore the wind power production tax credit in order to restore wind energy revenue payments to school districts.
- 2.027** Urges the legislature to repeal all Truth in Taxation requirements for school districts.
- 2.028** Urges the legislature to support a continuous review of real property tax exemptions to assure that all real property not used for public purposes or legitimate charitable purposes is listed on real property tax rolls.
- 2.029** Urges the legislature to oppose change in statutes dealing with the distribution of taconite taxes to local school districts receiving such taxes and believes that the present methods of collection, distribution and deduction should be continued.
- 2.030** Urges the legislature to support reimbursement to districts on a current basis for tax delinquencies, and urges that when delinquent taxes are paid, the State of Minnesota be reimbursed. Further supports establishment of a statewide pool to pay abatements on behalf of school districts. School districts would repay the state pool when abatement levies are received.

- 2.031** Urges the legislature to support changes in the property tax law to allow a school district which rents unused space in a building used for school purposes to a profit-making firm or institution to pay a fee to cover fire and police services in lieu of property taxes.
- 2.032** Urges the legislature oppose the extension of any state or local sales tax to school district purchases.
- 2.033** Urges the legislature to direct the Minnesota Department of Education to provide levy data to independent school districts 30 days prior to the date to be certified to the County Auditor and if the Minnesota Department of Education does not meet this deadline, the date to certify the proposed levy will be moved back to allow the 30 days for preparation and study.
- 2.034** Urges the legislature to support the inclusion of school district numbers on Minnesota State Income Tax Forms.

### **3. SCHOOL BOARD-EMPLOYEE/EMPLOYER RELATIONS**

#### **Employer Protections**

- 3.001** Urges the legislature to align the whistleblower statute, with the Minnesota Tort Claims Act, to clarify that “no award for damages on any such claim shall include punitive damages.” (2019)

#### **Staff-Student Ratios**

- 3.002** Urges the legislature to support allowing school districts to determine the appropriate number of school counselors required for their districts.

#### **Licensure**

- 3.003** Urges the legislature to support policies that will address the shortage of regularly licensed, short-call substitute teachers by reducing barriers to licensing and hiring practices, as well as increasing retention strategies, such as:
- Allowing a non-licensed individual with a bachelor’s degree to apply to and be hired by a district, with notification to professional educator licensing and standards board (PELSB), for a short-call substitute license;
  - Allowing local districts to hire candidates with an associate arts (AA) degree and with notification to PELSB, for a short-call substitute license;
  - Allowing local districts to hire a college student who is accepted to and enrolled in a teacher prep program for at least two years, with notification to PELSB, for a short-call substitute;

- Supporting locally-developed, research-based, programs to recruit, train, and develop substitutes teachers; or
  - Increasing education funding to provide competitive compensations packages.
- Candidates must complete all district application requirements, fees, and background checks prior to beginning work as a substitute teacher. (2021)

- 3.004** Urges the legislature to allow a hiring school district to utilize its background check that meets or exceeds the Bureau of Criminal Apprehension (BCA) standards until the Professional Educator Licensing and Standards Board (PELSB) application process is complete. (2019)
- 3.005** Urges the legislature to make adjustments to Minnesota Rule 8710.4770 teachers of science endorsement licensure by examination, to make it possible under this rule for teachers with a 9-12 science license to add by examination additional science license for 7-12. (2015)
- 3.006** Urges the legislature to engage the Higher Learning Commission (HLC) in discussions to explore and find alternative approaches to the current HLC policy related to high school CE/CIS instructors and to provide financial assistance to mitigate the effect of the policy requirements put forth by the HLC to maintain the structure and high standards for CE/CIS instructors. (2015)
- 3.007** Urges the legislature to create a regional task force to resolve the faculty requirements for Concurrent Enrollment Program. (2015)
- 3.008** Urges the legislature to support providing licensed high school teachers currently teaching vocational education courses better alternatives for acquiring vocational education licensure, which may include a longer period of time under temporary licensure, which requires actual work experience, a more reasonable amount of work experience for duly licensed classroom teachers, or more appropriate work experience opportunities for fully state licensed classroom teachers.
- 3.009** Urges the legislature to oppose licensure requirements for any community education instructor, except in those situations where credit courses are taught for diploma or GED courses or specialized license for classes, such as driver education.

### **Contracts, Compensation, and Benefits**

- 3.010** Urges the legislature to address the chronic shortage of support staff facing our school districts. (2021)
- 3.011** Urges the legislature to oppose legislation that requires school districts to allow a nurse who is not an employee of the school district to accompany a student during the school day. (2020)

- 3.012** Urges the legislature to modify the Wage Theft Law to exempt an employer, as defined under PELRA, from the obligations of required statement of earnings by employer; notice to employee, if the employee is covered under a contract with a collective bargaining agreement; and extend notification period to 30 days from hire date or change. (2019)
- 3.013** Urges the legislature to repeal statutory provisions related to fair share fees. (2019)
- 3.014** Urges the legislature to support policies that will help attract and retain teachers with greater emphasis on:
- Continuing to increase incentives to teachers in areas of shortage;
  - Hiring staff that reflects the diverse student populations;
  - Reducing barriers to the teacher licensure process;
  - Streamlining and simplifying the teacher licensure process;
  - Providing alternative licensure pathways to career and technical experts;
  - Retaining existing teachers through mentorship and training;
  - Supporting locally developed, research based, programs to recruit, train, and develop potential staff in areas difficult to fill; and
  - Increasing education funding to provide competitive compensation packages. (2016)
- 3.015** Urges the legislature to act on these areas in workers' compensation: 1) support use of the Workers' Compensation Advisory Council (WCAC) system to consider proposals for medical cost containment reforms; 2) oppose expansion of workers' compensation and related health insurance benefits; 3) support continuing the Workers' Compensation Reinsurance Association (WCRA) as the mandatory workers' compensation reinsurer; 4) support modifying state statutes to treat PTSD events involving several affected parties as one occurrence for retention purposes, thereby reducing the exposure of self-insured entities and the statewide insurance pools; and 5) support legislation that would disallow the "stacking" of public employee retirement benefits and workers' compensation benefits. (2014)
- 3.016** Urges the legislature to support a three-year probationary period under M.S. 122A.40 and 122A.41 for the first three years of consecutive employment in a district and for in-district promotion for all licensed staff including administrators and teachers.
- 3.017** Urges the legislature to amend the teacher tenure law to allow for a new one-year probationary period for teachers who have been previously tenured in that district but have separated from that district for five-years.
- 3.018** Urges the legislature to study the issue of teacher and administrator tenure/continuing contract in order to provide a research basis upon which to enact reforms. The study should address at least the following issues: 1) The relationship, if any, between tenure/continuing contract and student performance; 2) Barriers (including financial costs) to effective implementation of existing statutes; 3) The implications, including

financial costs, of eliminating or modifying tenure/continuing contract; and 4) The experiences of other states that have undertaken tenure reform.

- 3.019** Urges the legislature to allow a school district and an exclusive representative to enter up to a five-year master agreement on a voluntary basis.
- 3.020** Urges the legislature to support amending the present Minnesota Public Employment Labor Relations Act (PELRA) to allow school boards to incorporate into their compensation policies a method for providing additional annual compensation to a teacher who, in the opinion of the school board upon evaluation, is providing excellence in working with the pupils in the district.
- 3.021** Urges the legislature to support permitting school districts to more adequately compensate licensed teachers which are deemed to be in short supply by the legislature and the Minnesota Department of Education and this authority to be apart from, or in addition to, the provisions of the master agreement.
- 3.022** Urges the legislature to support amending M.S. 122A.40, subdivision 7 to stipulate a uniform final date for teacher resignation submission which shall be no later than April 1.
- 3.023** Urges the legislature to support legislation to modify the continuing contract law and the teacher tenure act to indicate that employees may not bump into supervisory, administrative, or extended year positions because they have greater seniority than incumbent employees in those positions.
- 3.024** Urges the legislature to support legislation which will permit school districts which employ previously tenured teachers to observe and evaluate those teachers for two years prior to making a decision on whether or not to grant tenure.
- 3.025** Urges the legislature to enact a law that would limit the liability of districts in instances where a student with a disability does not receive services as specified in the student's Individualized Education Plan (IEP) because the district is unable to hire an appropriately licensed teacher due to a statewide shortage of teachers in the required license area.
- 3.026** Urges the legislature to initiate and adequately fund a program to increase the numbers of teachers of color by recruiting promising high school students and by offering loans to cover their costs for attending a Minnesota college or University, such loans to be forgiven on a phased schedule if the student teaches in the state of Minnesota.
- 3.027** Urges the legislature to amend the law to allow a second probationary period for principals.

- 3.028** Urges the legislature and those bodies with rulemaking authority to clarify that any required paraprofessional credential is not considered to be a license for purposes of M.S. 122A.40 and M.S. 122A.41.
- 3.029** Urges the legislature to oppose mandated severance pay.
- 3.030** Urges the legislature to oppose establishing public school teacher or other school district employee salaries and fringe benefits on a statewide or regional basis.
- 3.031** Urges the legislature to oppose any legislation requiring a minimum level of fringe benefits for public school teachers or other employees.

### Site Based Management

- 3.032** Urges the legislature to allow the development of a pilot program that creates an alternative path to receiving a short-call substitute license wherein applicants would complete a district-sponsored training program. Such a program would support classroom teachers by increasing the number of available substitute teachers and create opportunities for people of diverse backgrounds to work as substitute teachers in their home district. (2019)
- 3.033** Urges the legislature to support a voluntary program and urges the legislature to provide school boards with flexibility from state laws and regulations when school boards implement a Participative Decision Making/Site Management Program in the district.
- 3.034** Urges the legislature to include in any legislation proposing decentralization of decision making the following components: 1) The legislation should clearly state the intended goals (e.g. improved learning, increased parent involvement, possible structural changes, etc.); 2) The legislation should contain an adequate phasing in concept so that districts/sites can receive assistance to be successful and that the change is sustainable; 3) The legislation clearly establishes a process through formal agreement for stakeholders to clarify roles and responsibilities to be carried out by the district and the site (e.g. curriculum, hiring, dismissal, evaluation, liability, etc.); 4) The legislation should provide flexibility , based on responsibilities, for the district and site stakeholders to determine what percent of revenue should flow from the district to the site; 5) The legislation should provide for the creation of baseline evaluation data to determine the effectiveness of decentralized decision making and whether the intended goals of the legislation are being met; 6) The legislation should clarify the support role of the Minnesota Department of Education in decentralized decision making; and 7) The legislation should provide adequate resources and/or incentives to assist the legislation in being successful (e.g. staff development, materials, etc.).

**3.035** Urges the legislature to establish a task force to study and make recommendations on a range of issues prior to full-scale implementation of site-based management, including, but not limited to: data privacy; PELRA and personnel issues; liability; local site accountability; salary differentials; and provisions of federal and state mandates including special needs services (Title 1, Special Education, Limited English Proficiency).

### Employee Work Stoppage

**3.036** Urges the legislature to oppose amending the Public Employee Labor Relations Act to permit employee “sympathy strike” rights.

**3.037** Urges the legislature to support a change to the current school board - teacher collective bargaining: The teachers in a district are prohibited from striking on issues relating to total package compensation (including fringe benefits) if the school board offers the teachers a contract that includes a percentage increase in total package compensation equal to the legislatively enacted percentage increase in the general education formula.

**3.038** Urges the legislature to support amending the Minnesota Public Employment Labor Relations Act (PELRA) to provide the following: 1) Bargaining would continue as under existing law until September 1 of the odd-numbered year; 2) After September 1 of the odd-numbered year, if either the school board or the exclusive representative of the teachers request arbitration, the Bureau of Mediation Services (BMS) would be required to prepare a list of the items in dispute to be submitted for final-offer total package arbitration based on the positions submitted by the parties during negotiations or mediation; 3) Within 15 days of its receipt of the BMS list of the items in dispute to be submitted for final-offer total package arbitration, the school board would have to notify the BMS whether it would accept submission of the contract to final-offer total package arbitration; 4) If the board accepts submission of the contract to final-offer total package arbitration, the matter would be submitted and both parties would be bound by the results; 5) If the board does not respond within 15 days of the receipt of the BMS list of items in dispute or rejects submission of the contract to final-offer total package arbitration, the teachers could strike after a vote by the bargaining unit membership on the school board’s last offer and compliance with current notice provisions; 6) If the vote by the membership is for acceptance of the school board offer, no strike may take place and, upon ratification by the school board, the contract is settled based on the school board’s last offer; 7) An arbitrator’s award may not place the district in a deficit situation; and 8) If neither party requests arbitration, bargaining would continue as under current law.

**3.039** Urges the legislature to support amending the Minnesota Public Employment Labor Relations Act (PELRA) to provide that if the school board and the exclusive representative of the teachers do not reach a settlement on the master agreement by September 1 of the odd year, the school board and the exclusive representative will be



certified for binding arbitration. The school board and the exclusive representative of the teachers will each be required to prepare a list of the items in dispute and submit the list to the Bureau of Mediation Services. Arbitration will take place as presently provided in statute with the exception that the arbitrator's award shall be either the school board's final-offer total package or the exclusive representative final-offer total package unless conventional or item by item final-offer arbitration is mutually agreed upon by the school board and the exclusive representative of the teachers.

## Collective Bargaining

- 3.040** Urges the legislature to oppose legislation that defines Adult Basic Education (ABE) and Early Childhood Family Education (ECFE) teachers as "teachers" in continuing contract and tenure statutes. (2019)
- 3.041** Urges the legislature to clarify the language of M.S. 122a.40, Subd. 10 and M.S. 122a.41, Subd. 14a by adding the following language: "The parties may not ratify a teacher contract effective July 1, 2019, or thereafter, which does not contain a required negotiated plan for issuing an unrequested leave of absence. If a school district needs to place a teacher on unrequested leave of absence after July 1, 2019, and prior to the ratification of a contract effective July 1, 2019, or thereafter, school district policy will be used to determine which teacher will be placed on unrequested leave of absence." (2018)
- 3.042** Urges the legislature to amend PELRA to clarify that, at the expiration of an existing labor agreement between a school district and its teachers, no change in compensation or fringe benefits may be made for teachers until a new labor agreement is fully ratified, and no change in compensation or fringe benefits shall be retroactive unless retroactivity is specifically agreed to as part of the negotiated settlement.
- 3.043** Urges the legislature to amend M.S. 122A.40 to expedite the termination procedures in Subd. 9 and the immediate discharge procedures in Subd. 13 by codifying the timeline for remediation and limiting the use of arbitration to cases of immediate discharge.
- 3.044** Urges the legislature to oppose further changes in the Public Employees Labor Relations Act which would increase employee authority and supports preserving lay control of public school districts.
- 3.045** Urges the legislature to reinforce that school administrators should have meet and confer rights only, no right to strike, and arbitration should be voluntary and not binding.
- 3.046** Urges the legislature to support amending present legislation to provide that exclusive authority for master agreement ratification be limited to the local school board and the

local staff and opposes any legislation that allows unified bargaining group authority to approve or disapprove a district's master agreement settlement.

- 3.047** Urges the legislature to support legislation prohibiting an arbitration award requiring a district to incur a net deficit in the district's general fund.
- 3.048** Urges the legislature to support limiting the scope of negotiable items to wages and fringe benefits; but excluding the policy-making or program development of the board.
- 3.049** Urges the legislature to ensure that any changes to Minnesota statutes or rules that impact collective bargaining agreements should not be effective until after the collective bargaining agreement has been re-authorized.
- 3.050** Urges the legislature to oppose a time-specific penalty that would be imposed on school boards for not reaching an agreement with the exclusive representative of teachers.

### Leaves of Absence

- 3.051** Urges the legislature to support extending the same timelines, definitions, and procedures for placing licensed personnel on unrequested leave of absence to all school districts as districts in cities of the first class.
- 3.052** Urges the legislature to amend M.S. 123A.33, Subd. 8, to clarify that a teacher's placement on unrequested leave of absence in the year in which the cooperative provides the required notice must be a direct result of the members' district's withdrawal of students or program(s) from the cooperative or withdrawal from the cooperative altogether.
- 3.053** Urges the legislature to amend M.S. 179A.07, subdivision 6 to clarify that school boards must grant a leave of absence to union officers or representatives only to conduct local exclusive representative duties.

### Seniority

- 3.054** Urges the legislature to support repealing M.S. 179A.03, subdivision 14 which expands the definition of public employees to include part-time, temporary and substitute teachers.
- 3.055** Urges the legislature to support amending M.S. 122A.40 & M.S. 122A.41 to grant administrators seniority as teachers from the date of hire as a teacher and seniority as an administrator from the date of appointment as administrator while retaining separate seniority as a teacher.

**3.056** Urges the legislature to support providing that teachers already under contract who acquire additional certification thereafter be granted additional seniority at the time of said subsequent certification, with prior seniorities to remain intact.

### Public Employee Retirement

**3.057** Urges the legislature to allow school districts the authority to levy for increased pension costs for school employees who are members of either the Public Employee Retirement Association (PERA) or the Teachers Retirement Association (TRA). (2013)

**3.058** Urges the legislature to enact legislation requiring any changes to the contribution rates to the Teachers Retirement Association (TRA) be covered by additional state aid or shared equally between the employer and the employee. (2013)

**3.059** Urges the legislature to cease the reduction in state aid payments to local school districts enacted in fiscal year 1998 for reduced employer contributions to the PERA and TRA funds of its employees while holding harmless those districts that would experience a negative financial impact.

**3.060** Urges the legislature to balance the membership of the Teachers Retirement Association (TRA) Board of Trustees in order to achieve a balance of employee and management representation and further that the legislature uses long-term fiscal notes to determine the impact of benefit and/or plan changes in the short- and long-term for Minnesota school districts.

**3.061** Urges the legislature to adopt legislation directing the Teachers Retirement Association (TRA) to allow the purchase of TRA service credit for one year general leaves of absence granted to certified staff.

**3.062** Urges the legislature to repeal the 30 day waiting period immediately following retirement so it would allow a retiree to return to work without loss of benefits.

**3.063** Urges the legislature to hold school districts harmless from costs associated with underfunded employee pension plans.

**3.064** Urges the legislature to amend the Teachers Retirement Association (TRA) statutes so that, unless the school board acts to accept the retirement, any teacher who retires before completing his/her individual employment contract will not be allowed to begin collecting his/her TRA benefits until July 1<sup>st</sup> following the date of retirement.

### Unemployment Compensation

**3.065** Urges the legislature to support legislation that provides teachers who are terminated or placed on unrequested leave of absence, effective June 1, are not eligible to receive unemployment compensation until September of that same year.

## Professional Development

- 3.066** Urges the legislature to merge the Teacher Development and Evaluation (TDE) and Alternative Teacher Professional Pay System (ATPPS). (2015)
- 3.067** Urges the legislature to provide adequate, inflation adjusted, ongoing revenue to fund mandated teacher development and evaluation. (2014)
- 3.068** Urges the legislature to remove the funding cap for Q Comp to allow more school districts to participate. (2014)
- 3.069** Urges the legislature to fund research-based training opportunities for current and future public school principals.
- 3.070** Urges the legislature to identify the existing needs and provide public school boards with sustainable support and adequate resources to successfully implement the statutory requirements that exist within the teacher and principal evaluation laws.
- 3.071** Urges the legislature to remove the requirement for school district to reserve an amount equal to at least two percent of the basic revenue formula for staff development purposes.

## 4. GOVERNANCE

- 4.001** Urges the legislature to not support the proposed constitutional amendment in its current form. (2021)

## Equal Opportunity

- 4.002** Urges the legislature to support re-examination of the statutes on discrimination so that the statute and implementing rules and regulations do not place unreasonable requirements upon the administration of public school districts and to consider the fiscal impact on districts.
- 4.003** Urges the legislature to supports legislation providing equal opportunity in curriculum, athletics, hiring, promotion and personal development of students, staff, committees, and boards.
- 4.004** Urges the legislature to support the following changes to M.S. 471.991 - .9981 (Pay Equity - Comparable Worth) and M.S. 124A.31 (Equitable Compensation Penalty): 1) Provide that any future interpretive changes in M.S. 471.991 - .9981 and M.S. 124A.31 be made through the Administrative Procedures Act for rule making purposes; 2)

Change the penalty language in M.S. 124A.31 so that any fines levied against a school district are held in escrow for that district until compliance has been reached; and 3) Support further changes in statute to promote fairness and consistency in interpretation and application of M.S. 471.991 - .9981 and M.S. 124A.31.

## Local Control

- 4.005 Urges the legislature to recognize that Minnesota School Boards believe parents are critically important to the success of students and have a long history of supporting parent engagement evidenced by the existing policies and statutes. All policies or mandates should be fully funded, without duplication, and ensure parents are meaningfully engaged and involvement is fostered at the local level. (2022)**
- 4.006 Urges the legislature to preserve local decision making by allowing school boards to have the flexibility to address the most pressing needs of their school districts, including but not limited to curriculum, budgeting, school calendar, structure, and local innovation. (2022)**
- 4.007 Urges the legislature to preserve and honor inherent managerial rights of school boards when considering potential legislative policies. (2022)**
- 4.008 Urges the legislature to address regulatory, public safety, employment, taxation, and public health concerns arising from the law enacted during the 2022 legislative session allowing the sale of certain edible products containing hemp-derived THC. Revision of Minnesota’s Cannabinoid Edible Law should include a ban on possession or use on school property and school activities and restrict the sale of hemp-derived THC products within a certain distance from K-12 schools. (2022)**
- 4.009 Urges the legislature to clarify that a legal daily newspaper should be issued in print or digital format at least five days a week, and if not a daily, the newspaper should be issued in print or digital format at least twice a month. (2020)**
- 4.010 Urges the legislature to retain a school district's local authority in determining curriculum, course offerings, graduation requirements, and other locally developed standards, where applicable. (2019)**
- 4.011 Urges the legislature to allow for expansion of the number of e-learning days from five up to 10 days, as determined by the school board. (2019)**
- 4.012 Urges the legislature to oppose any state mandated start and end times for the school day. (2018)**
- 4.013 Urges the legislature to allow local school boards and school leaders to work with emergency responders to develop emergency drills that do not force evacuation. (2018)**

- 4.014** Urges the legislature to eliminate the voter-initiated option allowing 50 voters to propose consolidation of two or more districts. (2017)
- 4.015** Urges the legislature to provide additional revenue and flexibility in the use of existing K-12 funding streams for school districts to invest in cyber-security solutions in order to protect student and school district data collection and storage systems. (2017)
- 4.016** Urges the legislature to allow for flexibility in setting a school calendar when a school district has a majority of student groups not meeting proficiency according to the Minnesota Comprehensive Assessments. (2016)
- 4.017** Urges the legislature to eliminate the new mandated civics test that requires students to pass 30 of 50 questions from the United States citizenship test, as a new required test from the 2016 legislative session. (2016)
- 4.018** Urges the legislature to allow a trial group of school districts to publish notices for school district communications using a web-based publication system. This trial would allow school districts to collect information on community engagement and financial savings by using web-based publications. (2013)
- 4.019** Urges the legislature to support legislation allowing school boards to select the official newspaper they believe best serves the needs of their district and citizens. Further supports legislation which will allow school boards the option to publish their school board meeting minutes and any statutory or regulatory mandated official notices on the internet or in the district's official newspaper at the discretion of the school board based on a resolution adopted at the school board's organizational meeting.
- 4.020** Urges the legislature to allow school boards the authority to purchase or rent high school graduation gowns and/or caps.
- 4.021** Urges the legislature to oppose legislation mandating the training of school board members.
- 4.022** Urges the legislature to support present law, M.S. 123A.45, which provides a process for school districts and taxpayers to annex or detach land from school district boundaries. This process is based on the authority of school boards to approve or deny a petition for the annexation and/or detachment.
- 4.023** Urges the legislature to oppose legislation which would enable any other local unit of government or legislatively created entity (e.g., metro council, education boards, or mayoral control of schools) to have expanded authority over K-12 school districts in lieu of a locally-elected school board.

- 4.024** Urges the legislature to amend online learning option for the purpose of re-establishing local school board authority over the academic standards required for graduation from an independent school district.
- 4.025** Urges the legislature to amend current law to permit districts to sponsor charter schools while retaining the school and the pupil count on district balance sheets.
- 4.026** Urges the legislature to oppose the mandatory consolidation of school districts.
- 4.027** Urges the legislature to support legislative positions that continue to insure local control of public schools.
- 4.028** Urges the legislature to oppose enactment of initiative and referendum proposals.
- 4.029** Urges the legislature to support allowing each school district to plan its own programs within the guidelines of the Minnesota Department of Education in organizing the district's educational program, such as hours and locations in and during which the students may pursue their goals, under the program as set by the local school board.
- 4.030** Urges the legislature to support amending Minnesota Statutes to allow local school boards to establish the annual student school calendar, including beginning and ending dates.
- 4.031** Urges the legislature to oppose legislative proposals that would infringe on local control in determining appropriate access to soft drinks in schools.
- 4.032** Urges the legislature to repeal the amendments made in the 2004 session to M.S. 471.975, which placed requirements on school districts to pay the salary differential of employees who are called to active military duty.
- 4.033** Urges the legislature to oppose any mandate that would require a school district to spend a specific percentage of their budget on regular classroom instruction.
- 4.034** Urges the legislature to amend Minnesota Statute and Rule to allow locally elected school boards to establish and operate a flexible learning year program without the approval of the Commissioner of Education.
- 4.035** Urges the legislature to require school boards to pass a combined polling place resolution only if the combined polling places have changed since the previous resolution. (2019)

## School Board Elections

- 4.036** Urges the legislature to allow, not mandate, a School Board to appoint a new board member after a resignation when there are less than three months remaining in the term of the resignee. (2022)
- 4.037** Urges the legislature to revise Minnesota Statute § 204B.16, Subd. 6 to exempt schools from the requirement that public facilities make themselves available to serve as election polling places. (2022)
- 4.038** Urges the legislature to allow local school districts to fill school board member vacancies by appointment of an eligible individual until the school district's next election cycle. (2018)
- 4.039** Urges the legislature to support school election laws that provide: 1) A school board is authorized to choose either the even or odd year in which to hold the district general election; 2) Special elections, other than excess levy referendums and special elections to fill board vacancies, could continue to be held at times allowed under present law and would not be mandated to be held on a uniform election date; 3) Political party designation would not be mandated for school board elections; 4) Economic disclosure for candidates for the school board is not required; and 5) Establishment of election districts for the purpose of electing school board members from such district or election of school board members on an at large basis would continue to be a local option.
- 4.040** Urges the legislature to oppose any change in the Constitution of Minnesota that would permit recall elections of school board members.
- 4.041** Urges the legislature to oppose a limit on the number of consecutive years that a person may serve as a school board member.
- 4.042** Urges the legislature to support legislation allowing consolidated school districts to move from election districts to at large elections.
- 4.043** Urges the legislature to enact legislation which provides school boards with a procedure which allows the election of board members to be altered from a method of election from election districts to a method of election at-large.

## Data Privacy

- 4.044** Urges the legislature to amend the Minnesota Government Data Practices Act to authorize school districts and other units of local government to assess and recover all reasonable costs of fulfilling public data requests, including the cost of supplies, equipment, staff time, consultation with legal counsel and other resources necessary to



adequately search, retrieve, redact private and confidential data, and prepare electronic files or printed documents for inspection or delivery of copies. (2021)

- 4.045** Urges the legislature to allow a school district/school board to assess a reasonable charge or require the requesting person to pay a reasonable fee to inspect data. (2017)
- 4.046** Urges the legislature to clarify that the data challenge provision of M.S. 13.04, Subd. 4, is only available to challenge the completeness of data or correct factual inaccuracies. (2013)
- 4.047** Urges the legislature to support legislation stating that any release of a public school district census list shall not be used for selling or soliciting purposes.

### Open Meeting Law

- 4.048** Urges the legislature to revise the current open meeting law, Minnesota Statutes Chapter 13D, to allow for the use of online interactive digital meetings as long as requirements are met to promote transparency and engagement. (2021)
- 4.049** Urges the legislature to allow school board official meetings to be held outside of the territorial boundaries in order to achieve enhanced collaboration and cooperation with other school districts and/or local government entities. Meetings will be required to be held within the boundaries of one of the collaborating entities.
- 4.050** Urges the legislature to support the present open meeting law as interpreted by the Minnesota Supreme Court permitting a meeting of less than a quorum to be an exception under the open meeting statute.
- 4.051** Urges the legislature to support legislation which would make electronic recordings of closed negotiations strategy meetings public information only if a judge would rule that improprieties occurred during the meeting.

### Insurance

- 4.052** Urges the legislature to modify the current process for a bargaining unit to move to:
  - Clarify that a bargaining unit can only move to PEIP upon expiration of the current health contract.
  - Require that a majority of the bargaining unit's full membership vote to move to PEIP. (2019)
- 4.053** Urges the legislature to modify M.S. 43A.316 Public Employees Insurance Program (PEIP) to require that any exclusive representative that desires to join PEIP must secure

the approval of the other exclusive representatives representing employees of the public employer and approval of the governing body of the public employer before it can participate in the program. (2013)

- 4.054** Urges the legislature to fully fund, with state aid, the premiums and associated costs for the proposed paid Family and Medical Leave Bill for school districts, should this become law. (2019)
- 4.055** Urges the legislature to oppose mandating participation in a state-operated insurance pool for public school districts.
- 4.056** Urges the legislature to support a school board option to participate in the State Employees Group Insurance Program (SEGIP) as a measure to provide an additional option for health care insurance.
- 4.057** Urges the legislature to support statutory changes to the conditions for participation in the Public Employees Insurance Program (PEIP). The changes to the conditions for participation in PEIP should include a requirement for representation by all insurance eligible employees to determine whether or not all insurance eligible employees will join PEIP.
- 4.058** Urges the legislature to support legislation which requires building contractors and/or construction managers to procure “builders risk insurance” for school district construction and that construction contracts that school districts enter into must provide for this insurance procurement by the building contractor or construction manager and that such construction contracts must not waive the rights of school districts or their self-insurance pool to recover for damages sustained during construction operations.
- 4.059** Urges the legislature to support repeal of statute relating to punitive liability for board members, officers, and employees. Further supports amending the Minnesota Municipal Tort Liability Act to provide immunity for school districts from any claims of vicarious liability arising out of the sexual misconduct of any school district employee or officer.

### Statute of Limitations

- 4.060** Urges the legislature to support the Minnesota Supreme Court Interpretation of M.S. 541.073, which provides that the limitations period for an action for damages based on personal injury caused by sexual abuse that took place while the abused person was a minor must be commenced against the school district that employed the alleged abuser within six years of the time the abused person reaches the age of majority.

## Student Discipline and Related Matters

- 4.061** Urges the legislature that the authority to review expulsions imposed by school boards under M.S. 121A.47, Subd. 13, as granted to the Minnesota Department of Education by M.S. 121A.49, be revised to be nonbinding on school boards or school districts, with the provision that any recommendation by the department of education to reverse or otherwise modify a student expulsion must be acted upon by the affected school board to accept or reject the recommendation. Inaction by the affected school board will allow the department of education recommendation to go into effect; and further that any expulsions involving students who are still enrolled in a Minnesota public school that were reversed or otherwise modified under the above referenced statutes be allowed to be reinstated upon an affirmation vote by the affected school board. The length of such a reinstated expulsion shall be equal to the number of calendar days that were remaining in the original expulsion at the time of the reversal or modification. Any such reinstated expulsion shall be eligible for appeal to the Minnesota court of appeals. Any such reinstated expulsion shall remain in effect during the course of any appeals. (2013)
- 4.062** Urges the legislature to support amending the Minnesota Pupil Fair Dismissal Act as follows: “M.S. 121A.49 Appeal. An exclusion or expulsion decision made pursuant to sections 121A.40 to 121A.56 may be appealed to the Commissioner of the Minnesota Department of Education. If the Commissioner or the Commissioner’s representative determines that the exclusion or expulsion decision made by the school board is in violation of Title VI of the Civil Rights Act of 1964 (Public Law Number 88-352) or Chapter 363, or that due process rights were denied the student, the Commissioner or the Commissioner’s representative shall overrule the school board’s decision. Such ruling shall be binding upon the parties, subject to judicial review as provided in section 121A.50.”

## 5. EDUCATION PROGRAMS

### Student Fees

- 5.001** Urges the legislature to support legislation authorizing the charging of student fees for makeup courses offered for credit towards graduation which are conducted outside of the regular school day.

### Postsecondary Preparation

- 5.002** Urges the legislature to require Minnesota PSEO institutions and school districts to collaborate on student success by sharing timely, relevant educational data including but not limited to: Mid-term progress, final grades, and attendance. (2022)
- 5.003** Urges the legislature to provide funding and support for regional Career and Technical Education (CTE) centers in order to provide students opportunities to learn skills and

earn certifications in the skilled trades. The CTE centers would support students and adults with credentialing, certifications, and retraining for school and local/regional businesses. These centers will be more focused on skill attainment while in high school, partnering with local business and industry for internships, and job experiences. (2020)

- 5.004** Urges the legislature to support expansion of Youth Skills training programs and other student work-based learning opportunities. (2019)
- 5.005** Urges the legislature to create a funding mechanism for CIS teachers and concurrent enrollment teachers to obtain 18 credit hours in their content field to meet the HLC faculty qualifications. (2016)
- 5.006** Urges the legislature to fully fund the concurrent enrollment funding formula of \$150 per pupil unit. (2014)
- 5.007** Urges the legislature to realign K-12 postsecondary educational programs in a uniform and consistent manner. (2014)
- 5.008** Urges the legislature to eliminate the roadblocks for high school students to access postsecondary credits. (2013)
- 5.009** Urges the legislature to support direct categorical aid payments for secondary vocational education at the 50 percent level of reimbursement.
- 5.010** Urges the legislature to give school districts participating in a state approved vocational technical initiative an additional \$100 per secondary student pupil unit for the purpose of providing extended school year curriculum, equipment, and teacher salaries.
- 5.011** Urges the legislature to provide the necessary revenue to school districts to adequately fund the college in schools/concurrent enrollment programs.

### **Minnesota State High School League**

- 5.012** Urges the legislature to repeal the requirement of Minnesota Statute 124D.095, Sec 5 of the Online Learning Option Act, which would eliminate the provision allowing online learning students to participate in extracurricular activities with the enrolling district. (2020)
- 5.013** Urges the legislature to fund an amount equal to the savings from the sales tax exemption for admissions to all MSHSL events in order to fund scholarships for activity fees. The one-time aid would fund two years of charity scholarships until the sale tax exemption could replenish the scholarship fund. (2016)

- 5.014** Urges the legislature to make permanent the sales tax exemption for admissions to all Minnesota State High School League (MSHSL) events. The amount of sales tax exemption would be transferred to a nonprofit charitable foundation to assist students in high school extracurricular activities. (2015)
- 5.015** Urges the legislature to support the Minnesota State High School League as an organization directly responsible to all member school districts.
- 5.016** Urges the legislature to oppose legislation which would further limit Minnesota State High School League jurisdiction relative to interscholastic athletics.
- 5.017** Urges the legislature to strongly support the current system of policy and rulemaking by the Minnesota State High School League. Opposes any legislatively mandated changes to current practices of the Minnesota State High School League in policy and rulemaking and specifically opposes the application of the Administrative Procedures Act in any form to the Minnesota State High School League.
- 5.018** Urges the legislature to oppose a mandate that would require public school districts to allow charter school students to participate in public school district extracurricular activities; and if the legislature determines that it is necessary to enact a law requiring such authority for charter school students to participate in public school district extracurricular activities, the following conditions must also be adopted: a) The charter school must pay all direct and indirect costs associated with the participation prior to the student being allowed to participate; b) That the authorized participation be limited to activities under the jurisdiction of the Minnesota State High School League; c) That the student be limited to participation in an activity located in the public school district of the student's residence; d) That transportation from the charter school to the school of residence, if done at a time other than the student would receive regular transportation, related to the extracurricular participation, is the obligation of the student and/or charter school; e) Charter school students would be required to meet the same extracurricular participation requirements as required of the public school students; f) That the student's charter school must provide the necessary student information to the public school to verify the student's eligibility; g) It should be clear in the legislation that the charter school students would not be guaranteed participation but that charter school students would need to try out or audition to participate in an activity which has a "try out and/or cut" system to determine participation; h) Does the proposal provide time for careful planning and for an orderly transition process; and i) If the proposal is enacted or adopted, is there provision made to pilot the program in a variety of educational settings so that research data from the pilots can be considered before statewide change is mandated.

### **Childcare/Early Childhood Education/School Readiness**

- 5.019** Urges the legislature to equitably fund public school early education programs for four-year-olds, keeping K-12 funding the highest priority. (2019)

- 5.020** Urges the legislature to provide increased state funding for Pathway II Early Learning Scholarships. (2017)
- 5.021** Urges the legislature to ensure that any expansion of the Early Education Program allow for flexibility in the implementation, structure, staffing and timing, as well as appropriating adequate and equitable resources for additional age-appropriate classrooms and fully fund transportation costs in order to meet the needs of the local community. (2015)
- 5.022** Urges the legislature to oppose mandating that school districts provide childcare services.
- 5.023** Urges the legislature to require counties to ensure that high school students who qualify for childcare assistance are given number one priority when placed on a waiting list.
- 5.024** Urges the legislature to pay for the entire cost of the early childhood screening mandate.
- 5.025** Urges the legislature to provide public schools the necessary funding to cover the full cost of a voluntary comprehensive School Readiness Program, in addition to other K-12 funding in order to increase student achievement. A School Readiness Program would prepare at-risk children ages three to five to enter kindergarten - including sufficient funding for transportation costs, related parent involvement components, and allowances so that all children from families who qualify for free or reduced lunches and/or English language learner programs would be able to participate at no charge and all other families would pay according to a sliding fee scale based upon family income.
- 5.026** Urges the legislature to provide full funding for any preschool program the legislature mandates.
- 5.027** Urges the legislature to support legislation, beginning with the 2005-06 school year and each school year thereafter, any child aged 6 or under must complete a kindergarten program prior to being admitted to first grade, unless the requirements are waived by the school board or administration for an individual student for a good cause.

### **Accountability System**

- 5.028** Urges the legislature to reduce the timeframe between when statewide assessments are given to students and when the statewide results are released to the public so school districts can plan programming and provide instruction. (2021)
- 5.029** Urges the legislature to allow one or more school districts to pilot replacement of the high school Minnesota Comprehensive Assessments (MCA) with a nationally recognized high school assessment. (2019)

- 5.030** Urges the legislature to replace the high school MCAs with the ACT. (2016)
- 5.031** Urges the legislature to support a state accountability system for K-12 education that meets the following principles. The system must: 1) Be designed to help schools improve performance; 2) Be based on multiple indicators; 3) Measure individual growth over time to provide an “apples to apples” comparison; 4) Measure the performance of all students; 5) Be relevant at the local level; 6) Reflect trends over time; 7) Be based on stakeholder consensus as to which indicators are important; 8) Recognize that a single indicator, such as test scores, viewed out of context can be a misleading measure of performance; and 9) Build on existing performance accountability systems at the local level.
- 5.032** Urges the legislature to provide school boards with the resources necessary to address and remediate schools that may be determined to have not met state standards. These resources include but are not limited to: 1) Adequate financial resources to address identified student problems and needs; 2) Relief from state statutory and regulatory mandates including staff related mandates; and 3) Suspension of related provisions of the negotiated master agreement between the school board and the various exclusive representatives of the employees.
- 5.033** Urges the legislature to support legislation to not include charter school students as open enrollees “out” of the public school in which the school is located.
- 5.034** Urges the legislature to oppose enactment of continuing resolutions to fund state programs.
- 5.035** Urges the legislature to modify the Minnesota’s multiple measure rating (MMR) accountability system so that districts are not penalized in the area of graduation for students with disabilities ages 18-21 receiving entitled services through local school districts.
- 5.036** Urges the legislature to support test score growth on the Minnesota education report card as a separate and independent indicator of student achievement and further resolve that the growth scores should not be combined with criterion scores.

### **Education Improvement**

- 5.037** Urges the legislature to build and sustain a comprehensive state policy and financial framework that expands the teaching and learning of computer science. This may include, but is not limited to, appointing a task force to develop a statewide plan for computer science education and funding for teacher professional development to teach computer science curriculum. (2022)

- 5.038** Urges the legislature to increase flexibility for school boards and districts to determine how, where, when, and at what pace students learn while ensuring that students still meet Minnesota State Academic Standards and accountability requirements. (2021)
- 5.039** Urges the legislature to amend Minnesota Statute § 126C.05, Subd. 8, that requires districts to unenroll online learning students who leave the state for 15 consecutive days. (2021)
- 5.040** Urges the legislature to increase learning flexibility to allow for local control of instructional time by removing the instructional hours requirements found in 120A.41; thereby removing the seat time requirement. (2020)
- 5.041** Urges the legislature to pass a resolution, as provided for in House Rule 4.02, asking the Minnesota attorney general to file a lawsuit on behalf of Minnesota school districts that requires the federal government to fulfill its pledge to fund 40 percent of federally mandated special education costs. (2018)
- 5.042** Urges the legislature to align the World’s Best Workforce (WBWF) and the Every Student Succeeds Act (ESSA) into one accountability system for the state. (2017)
- 5.043** Urges the legislature to create a new Innovation Zone law that provides districts wanting to try new and different models of schooling significant flexibility from state laws and rules to launch a new era of innovation in Minnesota. An appropriation is needed to assist select sites and the state to engage in quality research of new and different models of schools, personalization of instruction, useful assessment, partnerships with organizations anywhere in the world, greater engagement from families and local organizations, expanded business partnerships, flexibility over the use of current revenue, and improved accountability designs. (2016)
- 5.044** Urges the legislature to provide the education commissioner more authority in exempting districts from state statutes to achieve innovation zone goals. (2015)
- 5.045** Urges the legislature to support legislation to define compulsory education and that definition shall:
- Include a basic curriculum and/or minimum student achievement in terms of learner outcomes, or other measure of student achievement;
  - Require a teacher who is properly licensed or who has demonstrated competency in the subject matter taught;
  - Provide compulsory attendance; and
  - Provide the means to enforce compulsory education.
- 5.046** Urges the legislature to support a compulsory attendance age of 18 years old under the condition that adequate funding is appropriated to meet the program needs of those



students who may have dropped out between the ages of 16-18 under the compulsory attendance age of 16.

- 5.047** Urges the legislature to give ideas and proposals for educational change careful and thorough evaluation before decisions are made to enact law or set formula policy; and that these proposals affecting educational policy be evaluated using the following criteria:
- Is the proposal based on current knowledge of child and adolescent development and the learning process;
  - Is the proposal based on documented need;
  - Does the proposal carefully assess the impact on all students regardless of geographic location, socioeconomic status, or ability;
  - Does the proposal allow for meaningful involvement by those affected by the change and by those expected to implement the change;
  - Is the proposal feasible in terms of human and financial resources, and will it, if implemented, divert resources from current educational programs;
  - Does the proposal address the need for assurances of long-term fiscal commitment;
  - Does the proposal provide flexibility to facilitate local decision-making?

## **6. SCHOOL TRUST LANDS**

- 6.001** Urges the legislature to ensure the School Trust Lands director has the responsibility and authority to work on behalf of the trust beneficiaries, Minnesota's public school students. (2017)
- 6.002** Urges the legislature to issue statewide bonds to purchase highly sensitive school trust lands. (2013)