

**SUMMARY OF 2012**

**MISCELLANEOUS EDUCATION PROVISIONS**

This summary has been prepared by the Minnesota Department of Education, Office of Government Relations (651) 582-8292 and Division of Program Finance (651) 582-8828. Note: Portions of this summary were taken from House and Senate Education staff summaries.

<b>Contacts</b>	<b>Chapters</b>
<p>Richard Wassen 651.582.8807</p>	<p><b>Chapter 122 Teacher Candidates Required to Pass Exam</b></p> <ul style="list-style-type: none"> <li>• Directs the Board of Teaching to require a person who enters a teacher preparation program to pass the basic skills exam in reading, writing, and math before being granted an initial teaching license. Strikes language directing school districts to provide remedial assistance to district employees who completed their teacher preparation program outside Minnesota and who received a one-year license to teach while trying to pass the basic skills exam.</li> <li>• Strikes language authorizing the board to grant up to three one-year licenses to persons who have completed their teacher preparation program but have not passed the basic skills exam.</li> <li>• Directs the Board of Teaching to require out-of-state applicants for a Minnesota teaching license or a temporary teaching license to pass the basic skills exam in reading, writing, and math before the board issues the license.</li> <li>• Update to law passed later in session. See Chapter 239.</li> <li>• Effective following enactment.</li> </ul>
<p>Kevin McHenry 651.582.8292</p>	<p><b>Chapter 125 Interscholastic Conference Members in State High</b></p>

Contacts	Chapters
	<p data-bbox="440 197 672 226"><b>School League</b></p> <ul data-bbox="492 264 1317 512" style="list-style-type: none"> <li data-bbox="492 264 1317 443">• Reduces from 180 to 90 the number of days during which a school must make a good faith effort to join an interscholastic conference before asking the Minnesota State High School League to help the school arrange conference membership.</li> <li data-bbox="492 478 959 512">• Effective following enactment.</li> </ul>
<p data-bbox="186 554 407 617">Karen Cadigan 651.582.8397</p>	<p data-bbox="440 554 1040 583"><b>Chapter 136 Early Childhood Screening</b></p> <ul data-bbox="492 621 1414 1010" style="list-style-type: none"> <li data-bbox="492 621 1414 940">• Requires the early childhood screening notice to parents to include the following statement:  “Early childhood developmental screening helps a school district identify children who may benefit from district and community resources available to help in their development. Early childhood developmental screening includes a vision screening that helps detect potential eye problems but is not a substitute for a comprehensive eye exam.”</li> <li data-bbox="492 978 1235 1010">• Effective for notices printed after March 27, 2012.</li> </ul>
<p data-bbox="186 1052 391 1115">Kelly Wosika 651-582-8855</p>	<p data-bbox="440 1052 1256 1081"><b>Chapter 137 School Bus Construction and Equipment</b></p> <ul data-bbox="492 1119 1333 1801" style="list-style-type: none"> <li data-bbox="492 1119 1333 1371">• Updates the version of national school bus construction and equipment standards that are mandated to apply to Minnesota under state statutes to use the 2010 standards instead of the 2005 version. Under current law, the 2005 national standards apply to school buses with some additions and modifications made in state statutes.</li> <li data-bbox="492 1409 1219 1482">• Eliminates minimum seat depth and back height requirements.</li> <li data-bbox="492 1520 1333 1625">• Requires all school buses used in Minnesota that are manufactured after January 1, 2013 to be equipped with a crossing control guard.</li> <li data-bbox="492 1663 1097 1694">• Requires auxiliary fans in school buses.</li> <li data-bbox="492 1732 1333 1801">• Allows for installation of surveillance camera systems on school buses.</li> </ul>

<b>Contacts</b>	<b>Chapters</b>
<p>Carol Thomas 651.582.8453</p>	<p><b>Chapter 138 Purchase of Food Service Equipment</b></p> <ul style="list-style-type: none"> <li>• Deletes the requirement for MDE to approve capital expenditures for the purchase of food service equipment from the food service fund instead of the general fund, effective for purchases made on or after July 1, 2012.</li> <li>• Keeps the requirement that the unreserved balance in the food service fund at the end of the last fiscal year must be greater than the cost of the equipment to be purchased from the food service fund.</li> </ul>
<p>Greg Sogaard 651.582.8858</p>	<p><b>Chapter 144 Nonpublic Pupil Aid</b></p> <ul style="list-style-type: none"> <li>• Expands the use of nonpublic pupil textbook aid to include “software or other educational technology.” There is no change in the amount of aid, it is just adding additional uses. Software and other educational technology must not be used in religious courses, devotional exercises, religious training or any other religious activity.</li> <li>• The state reimburses school districts for their costs up to the amount of the statewide average public school qualifying expenditure per pupil times the number of nonpublic school pupils served by each school district. For fiscal year 2013, the reimbursement rates are set at \$80.33 for textbooks, standardized tests and individualized instructional materials.</li> <li>• Effective July 1, 2012.</li> </ul>
<p>Barry Shaffer 651.582.8442</p>	<p><b>Chapter 145 Adult Basic Education</b></p> <ul style="list-style-type: none"> <li>• Defines a “service disruption” as a loss of student contact time due to a natural disaster or other occurrence outside the control of the program or consortium, such as a building relocation or transportation disruption, that causes the ABE program or consortium to lose more than 10% of its ABE contact hour aid.</li> <li>• Allows the Commissioner to adjust contact hours for a program or consortium with a service disruption; the adjustment must not result in contact hour aid exceeding the most recent two year average for the program or</li> </ul>

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	<p>consortium.</p> <ul style="list-style-type: none"> <li>• Authorizes a program or consortium that has had a service disruption to request that the Commissioner of Education adjust its contact hours. Requires the program or consortium to demonstrate to the Commissioner's satisfaction that the loss of contact hours was outside of the program or consortium's control and that the consortium took reasonable actions to avoid the loss of service hours.</li> <li>• Effective for aid for fiscal year 2013 and later.</li> </ul>
<p>Barbara Case 651.582.8247</p>	<p><b>Chapter 146 Prone Restraint</b></p> <ul style="list-style-type: none"> <li>• Amends the definition of "physical holding" to encompass where immobilization is used to control a child in order to protect the child or another person. Defines "prone restraint" as placing a child in a face down position.</li> <li>• Prohibits physical holding that restricts or impairs a child's ability to communicate distress, places pressure or weight on parts of a child's body, or results in straddling a child's torso.</li> <li>• Extends for one year a school districts' ability to use prone restraint (until August 1, 2013).</li> <li>• Requires MDE to publish data on its web site quarterly on districts' use of prone restraint.</li> <li>• Requires MDE to develop a statewide plan by February 1, 2013 to reduce districts' use of restrictive procedures.</li> <li>• Requires districts to report data to MDE by July 1, 2012 on use of prone restraints during the 2011-12 school year.</li> <li>• Effective following enactment.</li> </ul>
<p>CPR: Deb Loy 651.582.8306</p>	<p><b>Chapter 206 Staff Development and Cardiopulmonary Resuscitation (CPR)</b></p> <ul style="list-style-type: none"> <li>• Requires districts to provide one-time, hands on CPR and automatic external defibrillator (AED) instruction and training as part of grade 7-12 curriculum for all</li> </ul>

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<p>Development: Kevin McHenry 651.582.8292</p>	<p>students entering grades 7-12 in 2014-15 and later using training from the American Red Cross or American Heart Association or similar evidence-based guidelines. It does not require students to become certified in cardiopulmonary resuscitation as a result of the training.</p> <ul style="list-style-type: none"> <li>• Schools may use community members such as emergency medical technicians, paramedics, police officers, fire fighters, the Minnesota Resuscitation Consortium and others to provide the instruction and obtain resources.</li> <li>• School administrators can waive this curriculum requirement for high school transfer students, students absent on the day the instruction occurred, or an eligible student who has a disability.</li> <li>• Amends MS 122A.61, subd. 1, by striking the requirements for districts to allocate 50% to sites on a per teacher basis, 25% for grants to sites for best practices, and 25% for district-wide staff development.</li> <li>• Effective July 1, 2012.</li> </ul>
<p>Sally Wherry 651.582.8768</p> <p>Dan Smith 651.582.8330</p>	<p><b>Chapter 207 High School Transition Plan</b></p> <ul style="list-style-type: none"> <li>• All students by no later than grade 9 to explore their college and career interests and aspirations and develop a plan for a smooth and successful transition to postsecondary education or employment.</li> <li>• School districts are encouraged to seek and use revenue and in-kind contributions from non-state sources and to seek administrative cost savings through innovative local funding arrangements for purposes of implementation.</li> <li>• Effective following enactment, applies to students graduating in the 2013-14 school year and later.</li> </ul>
<p>Karen Cadigan 651.582.8397</p>	<p><b>Chapter 247 Omnibus Health/Human Services Bill</b></p> <p><b>Part C Referral of Children in Substantiated Cases of Maltreatment</b></p> <ul style="list-style-type: none"> <li>• Modifies the Maltreatment of Minors Act, requiring that a</li> </ul>

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<p>Phil Sievers 651.582.8607</p>	<p>child under age three who is involved in a substantiated case of maltreatment be referred for screening under the Individuals with Disabilities Act, Part C.</p> <ul style="list-style-type: none"> <li>• Parents must be informed that the evaluation and acceptance of services are voluntary. Within available appropriations, the commissioner must monitor referral rates by the county and annually report to the Legislature, beginning March 15, 2014.</li> </ul> <p><b>Autism Studies and Foster Placement</b></p> <ul style="list-style-type: none"> <li>• Directs the Health Services Advisory Council to review literature on the efficacy of various treatments of autism spectrum disorder and recommend to the commissioner of human services authorization criteria for services based on existing evidence.</li> <li>• The Commissioner of DHS in consultation with MDE and DEED must complete a study of one or more housing models that provide integration across human services, education, and vocational services for children with severe autism to meet both their housing and long term support needs.</li> </ul>
<p>Karen Cadigan 651.582.8397</p>	<p><b>Minnesota Visible Child Work Group</b></p> <ul style="list-style-type: none"> <li>• Establishes the Minnesota visible child work group to identify and recommend issues that should be addressed in a statewide, comprehensive plan to improve the well-being of children who are homeless or have experienced homelessness.</li> <li>• Requires the work group to make recommendations related to the duties under subdivision 3 to the legislative committees with jurisdiction over education, housing, health, and human services policy and finance by December 15, 2012. Requires the recommendations to also be submitted to the Children's Cabinet to provide the foundation for a statewide visible child plan.</li> </ul>
<p>Daron Korte 651.582.8407</p>	<p><b>Chapter 249 School Trust Lands Management</b></p> <ul style="list-style-type: none"> <li>• Transfers the oversight of state school trust lands management from the Department of Natural Resources (DNR) and the Permanent School Fund Advisory Committee to a school trust lands Director and</li> </ul>

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	<p>Legislative Permanent School Fund Commission.</p> <ul style="list-style-type: none"> <li>• The commission must annually review statutes on school trust lands and make recommendations on necessary changes.</li> <li>• The commission will consist of six members of the Senate, including three majority party members appointed by the majority leader and three minority party members appointed by the minority leader; and six members of the House of Representatives, including three majority party members appointed by the Speaker of the House and three minority party members appointed by the minority leader.</li> <li>• The goal is to maximize the long term economic return from state school trust lands.</li> <li>• The Legislative Permanent School Fund Commission shall recommend policies for the school trust lands director and the commissioner of natural resources.</li> <li>• Effective July 1, 2013.</li> </ul>
<p>Stan Mack 651.582.8796</p>	<p><b>Chapter 257 Board of School Administrators</b></p> <ul style="list-style-type: none"> <li>• Changes license fee from a calendar year to a fiscal year basis.</li> <li>• Allows the Board to adjust BY 2013 fees to accommodate the transition.</li> <li>• Authorizes the Board to suspend licenses, after notice and a hearing if fees are not paid.</li> <li>• Clarifies that the Board may disapprove, as well as approve, preparation programs for school administrators.</li> <li>• Allows the Board of School Administrators to adjust the fee collected in fiscal years 2012 and 2013 to make the transition from an annual fee structure to a fiscal year fee structure.</li> <li>• Effective following enactment.</li> </ul>

<b>Contacts</b>	<b>Chapters</b>
Kevin McHenry 651.582.8292	<p data-bbox="440 191 1442 231"><b>Chapter 263 Innovation Zones Pilot Project</b></p> <ul data-bbox="488 262 1339 1165" style="list-style-type: none"> <li data-bbox="488 262 1339 409">• Establishes a five-year pilot project (FY 2014-18) to allow groups of school districts to collaborate in providing innovative education programs and activities and sharing district resources.</li> <li data-bbox="488 441 1339 766">• Application must be made to the Commissioner by February 1, 2013. The Commissioner will convene an advisory group composed of a teacher appointed by Education Minnesota, a principal appointed by the Minnesota Association of Secondary School Principals, a school board member appointed by the Minnesota School Boards Association, and a superintendent appointed by the Minnesota Association of School Administrators.</li> <li data-bbox="488 798 1339 945">• In consultation with the advisory group the Commissioner must select between three and six qualified applicants by April 1, 2013. The Commissioner must submit a report by February 1, 2018.</li> <li data-bbox="488 976 1339 1060">• Appropriates \$25,000 to MDE for fiscal year 2013 through fiscal year 2018.</li> <li data-bbox="488 1092 1339 1165">• Effective following enactment, applies to the 2013/14 through 2017/18 school years.</li> </ul>
Sally Wherry 651.582.8768	<p data-bbox="440 1192 1442 1232"><b>Chapter 273 Online Learning</b></p> <ul data-bbox="488 1264 1339 1837" style="list-style-type: none"> <li data-bbox="488 1264 1339 1449">• Requires colleges and universities to include knowledge and skills needed to deliver digital and blended learning curriculum in teacher preparation programs. Requires district staff development activities to include training on the delivery of digital and blended learning.</li> <li data-bbox="488 1480 1339 1564">• MDE must approve or disapprove online learning provider applications within 90 days of receipt.</li> <li data-bbox="488 1596 1339 1743">• Directs the Online Learning Advisory Council, with the support of MDE, to develop and maintain a catalog of publicly available digital learning content aligned to Minnesota academic standards by June 30, 2013.</li> <li data-bbox="488 1774 1339 1837">• Appropriates \$104,000 to MDE in fiscal year 2013 and \$26,000 to MDE in fiscal year 2014 and later.</li> </ul>

**Contacts****Chapters**

	<ul style="list-style-type: none"><li>• Effective July 1, 2012.</li></ul>
Compliance: Barbara Case 651.582.8247  Legal: Daron Korte 651.582.8407	<b>Chapter 280 Settlement Disclosures</b> <ul style="list-style-type: none"><li>• Modifies the conditions under which a school district or other political subdivision must disclose an agreement or buyout over \$10,000.</li><li>• Specifies that the complete terms of the agreement are public data.</li><li>• Clarifies that data relating to a complaint or charge against a school district management employee are public if the complaint or charge results in disciplinary action or the employee resigns or terminated from employment while the complaint or charge is pending.</li><li>• Effective following enactment.</li></ul>