

SF3086 - SENATE EDUCATION POLICY OMNIBUS

This summary outlines the significant policy provisions in SF3086, the Senate Omnibus Education Policy Bill. It is not intended as a section by section summary. For a detailed summary, click [here](#).

Academic achievement rating system: Requires the commissioner to develop an academic achievement rating system that assigns to each school and district a star rating, and an academic achievement score based on specific measures used to determine the star rating. Components include:

Elementary and middle school star ratings are based on the percentage of students rated proficient on the statewide reading and math tests, the academic growth rate for the statewide reading and math tests, the low-income student achievement gap score, the students of color achievement gap score, the English learner proficiency rate, and the consistent attendance rate.

High school star ratings are based on the percentage of students rated proficient on the statewide reading and math tests, the four-year graduation rate gap score, the low-income student achievement gap score, the students of color achievement gap score, the English learner proficiency rate, and the consistent attendance rate.

School district star ratings are based on the percentage of third-grade students rated proficient on the statewide reading tests, the low-income student achievement gap score at the district level, the student of color achievement gap score at the district level, the percentage of high school students rated proficient on the statewide reading and math tests, and the district's four-year high school graduation rate.

Special Education Working Group: Establishes a working group to review special education delivery and costs.

Dyslexia screening: Requires a school district to screen all students for dyslexia between the beginning of kindergarten and the beginning of second grade, as well as any student who exhibits characteristics associated with dyslexia from second grade on.

School Lunch Policies: Makes a number of changes to school lunch policies.

- Requires the participant to provide meals to students in a respectful manner. Prohibits districts from dumping meals, withdrawing served meals, publicly listing the names of students with meal debt, identifying students with meal debt with stickers, stamps, or pins, or other demeaning actions.
- Prohibits participants from restricting students with outstanding debt from participation in any school activity for which a fee is otherwise prohibited under section [123B.37](#) (prohibited fees) and must not limit a student's participation in the districts graduation ceremonies.

School discipline: Includes a number of changes to the Pupil Fair Dismissal Act, including:

- Encourages a school to use non-exclusionary disciplinary policies and practices before dismissal proceedings or pupil withdrawal agreements.
- Directs the school to provide alternative educational services or use non-exclusionary disciplinary practices before dismissal proceedings.
- Defines "pupil withdrawal agreements" as a verbal or written agreement between a school or district administrator and a pupil's parent to withdraw a student from the school district to avoid expulsion or exclusion dismissal proceedings.
- Clarifies that the administrator must inform the pupil that they are not required to present their version of the facts and ask questions at the informal administrative conference before a suspension.

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- Requires a school official to make reasonable attempts to convene a meeting with the pupil and their parent or guardian within 30 days of a suspension. If a pupil's total days of removal from school exceed ten cumulative days, the school district must attempt to convene a meeting with the pupil and their parent or guardian to arrange for mental health screening for the pupil if the parent consents.
- Requires a school official to give a suspended pupil the opportunity to complete all school work assigned during the pupil's suspension and to receive credit for satisfactorily completing the assignments.
- Requires the school district report to the Commissioner to include each pupil withdrawal agreement. Requires the report to identify:
 - the pupil's behavior leading to the discipline;
 - the non-exclusionary disciplinary policies and practices used, if applicable;
 - any attempts to provide the pupil with alternative education services before excluding or expelling the pupil;
 - the effective date of the disciplinary action; and
 - the duration of the exclusion or expulsion.
- Requires a district to continue to provide school-linked mental health services to an expelled or excluded student or a student who is the subject of a pupil withdrawal agreement until the pupil is enrolled in a new district. Requires the district to provide the pupil's parent with a list of mental health and counseling services available to the pupil after expulsion.
- Requires the district to report on its policy on the appropriate use of school resource officers.
- Requires a school administrator to make and document efforts to immediately contact the parent or guardian of a pupil removed from a school building or school grounds by a peace or school resource officer unless the notice is specifically prohibited by law.

Teacher Licensure - Grounds for Revocation, Suspension, or Denial: Make a number of changes to teacher licensure provisions, including:

- Allows the Professional Educator Licensing and Standards Board (PELSB) or the Board of School Administrators (BOSA) to refuse to issue, refuse to renew, suspend, or revoke a teacher's license for intentional and inappropriate patting, touching, pinching, or other physical contact with a student that is unwelcome and sexually motivated.
- Requires PELSB or the BOSA to refuse to issue, refuse to renew or revoke a teacher's license if the teacher has engaged in certain acts as defined in statute with a student enrolled in a school where the teacher works or volunteers. Allows the board to suspend the teacher's license pending an investigation into the report under this paragraph. Allows for an appeal of the board's decision under the Administrative Procedures Act.
- Requires PELSB or BOSA to review and permits them to refuse to issue, renew or revoke a teacher's license if the teacher has been convicted of a:
 - qualified domestic violence-related offense as defined in statute
 - embezzlement of public funds
 - felony involving a minor as a victim.
- Allows PELSB to suspend a teacher's license during the board's disciplinary investigation of a report of teacher misconduct if the teacher has been charged with a violation of a crime

Mandated Reporters: Makes members of the Professional Educator Licensing and Standards Board and the Board of School Administrators mandatory reporters under the child maltreatment reporting law.

Health Curriculum: Allows a school district to include in its health curriculum age-appropriate instruction in sexual exploitation prevention, substance misuse prevention instruction and consent instruction to prevent and reduce the incidence of sexual assault.

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Student data privacy: Prohibits a technology operator or vendor from:

- engaging in targeted advertising on the operator’s site, service, or application or any other site if the targeting of the advertising is based on any information that the operator acquired because of the use of that operator’s site, service, or application for school purposes;
- using information created or gathered by the operator’s site, service, or application to amass a profile on a student except in furtherance of school purposes;
- selling or renting a student’s information, including covered information;
- exceptions are allowed if it is:
 - in furtherance of the school purpose of the site, service, or application if the recipient of the covered information disclosed under this item does not further disclose the information;
 - to ensure legal and regulatory compliance or protect against liability;
 - to respond to or participate in the judicial process;
 - to protect the safety or integrity of users of the site or others or the security of the site, service, or application;
 - for school, educational, or employment purposes requested by the student or student’s parent or guardian;
 - to a national assessment provider if the provider secures the express written consent of the student, parent, or guardian given in response to clear and conspicuous notice; or
 - to a third party, if the operator contractually prohibits the third party from using any covered information for any purpose other than providing the contracted service to or on behalf of the operator and requires the third party to implement and maintain reasonable security procedures and practices.

Operators or vendors are also required to:

- implement reasonable security procedures and practices designed to protect the covered information from unauthorized access, destruction, use, modification, or disclosure; and
- within 30 days of a request from a student, parent, or legal guardian, destroy or return a student’s covered information.

Fire Drills: Requires that of the five school fire drills required each year, at least three drills must require an evacuation. Allows a public, private school or educational institution to implement an alternative fire drill that does not require students or others to quit the premises if they develop and implement non-evacuating fire drill protocols in partnership with the local fire chief or the fire chief’s designee and chief law enforcement officers or their designee.

Professional Educator Licensing and Standards Board (PELSB): Reassigns a requirement from MDE to PELSB to maintain a list of essential data elements that school districts must provide to the board about licensed and non-licensed staff members through Staff Automated Report (STAR).

Maltreatment of minors: Includes solicitation of children to engage in sexual conduct and communication of sexually explicit materials to children in the definition of “sexual abuse.”

Early learning scholarships: Adds language to allow children in protective services or experiencing homelessness to qualify for early learning scholarships without providing income verification. Clarifies that children receiving a scholarship are required to receive developmental screening within 90 days of their third birthday.

High school equivalency test: clarifies that the state may select more than one high school equivalency test.

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Obsolete provisions and repealers: Includes the following provisions:

- Eliminates an obsolete requirement that clerk report to MDE the district's revenues and expenditures; length of school term, enrollment, and attendance; and other information required by the commissioner. This information is already provided in another format to MDE.
- Repeals 120B.35, subd. 4 requiring the commissioner to report on best practices implemented in schools that are high performing under federal expectations.
- Repeals 120B.35, subd. 5 requiring districts to develop plans and strategies to improve the graduation rates for students with emotional or behavioral disorders.
- Repeals 123A.26, subd. 3 which allows a district to request the department to make a payment to a third party.
- Repeals 125A.72, subd. 9 requiring school districts to report special education litigation costs to the commissioner, and the commissioner must report to the legislature.