



Wednesday, December 14, 2022



## The Charter School *Advocate*

### NEW LEADERSHIP IN THE LEGISLATURE - 2023

The 2023 Legislature begins on January 3, 2023 with all new leadership, including all of the Education Committee Chairs.

#### **Senate:**

- Senate Majority Leader: Sen. Kari Dziedzic – (DFL- Minneapolis)
- President of the Senate: Sen. Bobby Joe Champion –(DFL – Minneapolis)
- Senate Minority Leader: Sen. Mark Johnson – (R – East Grand Forks)
- Senate K-12 Education Finance Committee Chair: **Sen. Mary Kunesh** – (DFL – New Brighton)
- Senate K-12 Education Policy Committee Chair: **Sen. Steve Cwodzinski** – (DFL – Eden Prairie)

#### **House:**

- House Speaker: Rep. Melissa Hortman – (DFL – Brooklyn Park)
- House Majority Leader: Rep. Jamie Long – (DFL – Minneapolis)
- House Minority Leader: Rep. Lisa Demuth – (R – Cold Spring)
- House K-12 Education Finance Committee Chair: **Rep. Cheryl Youakim** – (DFL – Hopkins)

## **OUR LEGISLATIVE PRIORITIES FOR 2023-2024**

- **First**, we want to thank our member schools who took the time to vote and ratify the proposed public policy positions of the Association.
- **Second**, some of the public policy positions are aspirational, some are specific reforms, and some are statements of belief which serve as guides for the legislative advocacy work of the Association.
- **Third**, the Association’s legislative agenda and priorities are based on the public policy positions ratified by the MACS Board and member schools.
- **Fourth**, the Association’s legislative agenda includes a broad range of policy issues that affect all of public education as well as ones that are specific to charter schools.
- **Fifth**, the Association’s priorities list focuses on charter-specific policy proposals.

### **FAIR & EQUITABLE FUNDING FOR CHARTER SCHOOL STUDENTS**

Member schools were provided the opportunity to vote on 19 funding-specific policy positions. 3 positions received unanimous support, 8 received approval of between 90-97%, and 8 received approval of between 80-87%.

### **A RATIONAL POLICY FOR CHARTER SCHOOL FACILITIES**

Member schools were provided the opportunity to vote on 10 policy positions related to charter school facilities. 2 policy positions received unanimous support and 8 received approval of between 92-97%.

### **BALANCING ACCOUNTABILITY VS. AUTONOMY**

Member schools were provided the opportunity to vote on 53 policy positions specific to topics ranging from forming charter schools to authorizing, board governance, school leadership, etc. One (1) policy position received unanimous support, 23 received approval of between 90-97%, 17 received approval of between 83-87%, 7 received approval of between 70-78%, and 5 received approval of between 65-67%.

Under Association policy, all positions approved by at least 60% become official positions of the Association.

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## **ASSOCIATION POLICY BRIEFING SESSIONS & WEEKLY LEGISLATIVE UPDATES**

Beginning the week of January 3<sup>rd</sup>, the Association will be increasing its communications on public policy issues and legislative action. These communications will include a weekly *Advocate* newsletter, policy briefing sessions, and Zoom session updates. Below is the schedule for January. PLEASE MARK YOUR CALENDARS.

### **Policy Briefings Sessions – 30 Minutes**

- **Thursday, Jan. 12th, 2pm** : Extended Time Revenue
- **Thursday, Jan. 19th, 2pm**: Safe Schools Revenue
- **Thursday, Jan. 26th, 2pm**: Long Term Maintenance Revenue

**Legislative Update Sessions – 30 Minutes**

- **Friday, Jan. 6th, 10am**: 2023 MAC Legislative Priorities
- **Friday, Jan. 20th, 10am**: Session Update

*The schedule of Friday Session Updates after January 20<sup>th</sup> will be announced in advance.*

**NEW PELSB LICENSING STANDARDS LARGELY APPROVED BY ADMINISTRATIVE LAW JUDGES**

On Tuesday (12.6.22), two administrative law judges approved most provisions of PELSB’s remake of the Minnesota Teaching Licensing standards, which now include requirements for teachers to demonstrate cultural competency. Last August, PELSB held a public hearing and took public comment on the revised standards. After a few months of review, the judges upheld all but three subpart components. They determined that PELSB did not have the authority to “address gaps in school curricula,” or, in other words, direct what materials teachers will use in their classrooms. The rest of the changes were determined to meet the legal standard. The new standards can take effect after revising or omitting identified sections and resubmitting them for another review by the judges.

**ENROLLMENT GUIDANCE ON 15 DAY DROPS**

When a charter school has a student who misses 15 consecutive days for any reason, the school faces both a finance and a policy issue. After an absence of 15 consecutive days, the student must be withdrawn in MARSS for school finance purposes only. However, the charter school is not permitted to withdraw the student for enrollment purposes, unless the student formally withdraws or is expelled. Under law, they remain enrolled and the school “maintains its obligations to the student for education, special education services, truancy follow-up, etc.” A charter school should follow [appropriate truancy guidance](#) to pursue truancy actions in response to a lengthy absence.

*Minnesota Statutes 2021, section 124E.11, paragraph (g) states, "Once a student is enrolled in the school, the student is considered enrolled in the school until the student formally withdraws or is expelled under the Pupil Fair Dismissal Act in sections 121A.40 to 121A.56."*

**CRUZ-GUZMAN CASE UPDATES**

**October 21, 2022** – Plaintiffs filed a Petition for Review with the Minnesota Supreme Court of the September 26th Court of Appeals' decision, asking the Court to answer the question “Is the

Education Clause of the MN Constitution violated by a racially-imbalanced school system, regardless of the presence of de *jure* segregation or proof of a causal link between the racial or socioeconomic imbalance and the actions of the state?”.

**October 24, 2022** – Defendant-Interveners filed a response supporting the Plaintiffs’ Petition for Review.

**November 4, 2022** – The American Civil Liberties Union and the MN American Civil Liberties Union filed a request to be able to submit an *amici curiae* (friend of the court) brief if the MN Supreme Court hears the case. These organizations state that they have “extensive background in thorough and objective research in the field of constitutional rights ...” and they “...can assist the Court in developing its relatively sparse jurisprudence with respect to Education Clause claims.”


**November 4, 2022** – A group of concerned law professors filed a request to be able to submit an amici curiae (friend of the court) brief if the MN Supreme Court hears the case. They state that they, “... as legal scholars, bring a broad understanding of the legal and constitutional context of how to apply the rights and duties contained in the Education Clause.”

**November 10, 2022** – The Defendants (State of MN) filed a brief opposing the MN Supreme Court taking up the question. The Defendants' argument is that the Court of Appeals' decision already answered the question, and therefore there is no need for the Supreme Court to decide the question.


The MN Supreme Court has 60 days from the date of the petition to decide whether to take the case – which means it should be known before Christmas whether the Supreme Court will hear the case or let the Court of Appeals' decision stand.

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***"Unleashing education from convention"*** - is more than the MACS motto, it is a reminder of our purpose, our goals and it serves as a clarion **Call To Action.**

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