

# EDINA PUBLIC SCHOOLS 2019 LEGISLATIVE PLATFORM



## 1. STABILIZE EDUCATION FUNDING

- Increase the basic formula allowance by 3 percent per year and index the formula to inflation in future years to allow school districts to budget more effectively.\*
- Reject legislative proposals that divert money from public schools.
- Allow locally-elected school boards to renew existing operating referendum.\*

## 2. INCREASE STATE FUNDING FOR MANDATED SPECIAL EDUCATION PROGRAMS

- Increase special education funding to reduce the district share of the special education cross subsidy by 10% annually.\*
- Create a working group to develop a plan to eliminate the state share of the cross-subsidy by 2023.\*

## 3. REDUCE MANDATES AND INCREASE LOCAL CONTROL IN ORDER TO RAISE THE ACHIEVEMENT LEVEL OF ALL STUDENTS

- Reduce mandated state standardized testing.\*
- Federal and state mandates should have a clearly articulated purpose, which is revisited regularly to check for relevance and alignment with other policy goals.\*
- Policy makers should provide the funding necessary to comply with mandates.\*

## 4. ENSURE SAFE AND MODERN SCHOOL FACILITIES

- Establish a school facilities improvement revenue program to allow school districts to enhance safety.\*
- Increase the Safe Schools levy and expand the allowable uses to allow school districts to enhance cyber security and increase funding for counselors and mental health services. \*

## 5. INCREASE AND DIVERSIFY THE TEACHER WORKFORCE

- Expand programs and incentives to attract, develop, and retain teachers, particularly teachers of color and teachers in shortage areas.\*

*\*Aligns with Association of Metro School Districts (AMSD) legislative platform language.*

### Legislative Action Committee:

Ellen Jones, Chair & School Board member  
Owen Michaelson, School Board member  
John Schultz, Superintendent  
Richard Bale  
Cheryl Barry  
Caroline Correia  
Erik Eaton  
Catherine Gump  
Yongjun Hou  
Ethelind Kaba  
Rob Loesch  
Eileen McAuley

## EDINA LEGISLATIVE ACTION COMMITTEE 2018 PLATFORM BACKGROUND INFORMATION

### Stabilize Education Funding Proposals

- **Increase formula**

The State's General Education Formula, which provides 55% of the revenue received by Edina Public Schools, has not kept pace with inflation for many years, resulting in a growing budget gap for districts across the state in which the rising cost of expenses annually outpace revenues. To help offset this gap, Edina Public Schools has made \$8.5 million in budget adjustments over the last 10 years. It is very difficult for school districts to manage the gap without cutting into direct instruction costs. The historical 2-2.3% increase has not been sufficient for school districts to deliver on their missions without making significant budget readjustments. The 3% adjustment has been proposed by the MSBA (Minnesota School Board Association) and MASA (Minnesota Association of School Administrators) for several consecutive years.

- **Index formula**

Indexing the General Education Funding Formula would make forecasting budgets more manageable for Edina Public Schools and all school districts. Our School Board and Administration are charged with projecting revenues and expenses on a five-year timetable, yet they have no way of accurately projecting per pupil revenue when the General Education Funding Formula is a moving target. This short-term vision is not in the best interests of students and school districts and a longer commitment for investment should be adopted by legislators. The State of Minnesota indexes non-entitlement programs to inflation and we propose K-12 Education have the same consideration.

- **Levy authority**

Nearly every Minnesota school district relies on a local operating levy to support daily operational expenses. It is imperative that our locally elected School Boards have the ability to avoid potential financial ruin of their school district in instances of operating levy renewal. Edina's net tax capacity has increased over time, so it is entirely possible that the renewal of an existing operating levy would not increase tax burden on individuals. The following 25 entities already have special taxing authority including: watershed districts under chapter 103D; sanitary districts under sections [442A.01](#) to [442A.29](#); regional sanitary sewer districts under sections [115.61](#) to [115.67](#); regional public library districts under section [134.201](#); park districts under chapter 398; regional railroad authorities under chapter 398A; hospital districts under sections [447.31](#) to [447.38](#); St. Cloud Metropolitan Transit Commission under sections [458A.01](#) to [458A.15](#); Duluth Transit Authority under sections [458A.21](#) to [458A.37](#); regional development commissions under sections [462.381](#) to [462.398](#); housing and redevelopment authorities under sections [469.001](#) to [469.047](#); port authorities under sections [469.048](#) to [469.068](#); economic development authorities under sections [469.090](#) to [469.1081](#); Metropolitan Council under sections [473.123](#) to [473.549](#); Metropolitan Airports Commission under sections [473.601](#) to [473.679](#); Metropolitan Mosquito Control Commission under sections [473.701](#) to [473.716](#); Morrison County Rural Development Financing Authority under Laws 1982, chapter 437, section 1; Croft Historical Park District under Laws 1984, chapter 502, article 13, section 6; East Lake County Medical Clinic District under Laws 1989, chapter 211, sections 1 to 6; Floodwood Area Ambulance District under Laws 1993, chapter 375, article 5, section 39; Middle Mississippi River Watershed Management Organization under sections [103B.211](#) and [103B.241](#); emergency medical services special taxing districts under section 144F.01; a county levying under the authority of section [103B.241](#), [103B.245](#), or [103B.251](#); Southern St. Louis County Special Taxing District; Chris Jensen Nursing Home under Laws 2003, First Special Session chapter 21, article 4, section 12; an airport authority created under section [360.0426](#); and any other

political subdivision of the state of Minnesota, excluding counties, school districts, cities, and towns, that has the power to adopt and certify a property tax levy to the county auditor, as determined by the commissioner of revenue.

## **Ensure Safe and Modern School Facilities**

- **School Facilities Financing Work Group Recommendations**

In 2013, the Legislature directed the creation of the School Facilities Financing Work Group to recommend improvements in the financing of school facility projects. The group's Final Report in February 2014 included eight major recommendations: (1) establish a long-term facilities maintenance revenue program to replace the current alternative facilities, deferred maintenance and health and safety revenue programs; (2) increase the portion of debt service revenue that is eligible for equalization, restoring the state share of equalized revenue, and indexing future equalization; (3) equalize the capital projects referendum levy; (4) establish a new school facilities improvement revenue program to replace and increase the current building lease levy program; (5) increase the operating capital revenue allowances and index operating capital funding for inflation; (6) provide enhanced debt service equalization by replacing the current facilities grant program with enhanced debt service equalization, (7) streamline the review and comment process for facilities projects; and (8) address the facilities needs of other educational entities such as intermediate districts, charters and education cooperatives.

Some of these recommendations have been implemented. The 2015 Legislature consolidated the health and safety, alternative facilities, and deferred maintenance revenue programs into the newly-created Long-Term Facilities Maintenance Revenue, a per pupil, formula-driven revenue source beginning with the 2016-17 school year. The Education Department's review and comment process for facilities projects was streamlined, in part by increasing the threshold for projects requiring Education Department review and comment to \$2 million.

However, recommendations relating to enhanced equalization and indexing have not been fully implemented. As explained by the Working Group Final Report: "The purchasing power of operating capital revenue has declined steadily for many years due to a lack of adjustments for inflation. At the same time, the need for operating capital has increased significantly due to growing use of instructional technology and the need for enhanced school security. Indexing both the revenue allowance and the equalizing factors for this program would ensure stability in purchasing power and state share of funding for the future."

Implementing the equalization and indexing recommendations of the Working Group would allow districts additional facilities revenue to address important school building safety and security needs.

- **Safe Schools Levy**

This platform mirrors the recent position of the AMSB as it relates to an increase to the Safe Schools Levy and the expansion of allowable uses for cyber security. The proposal to identify funding for mental health services for students and staff aligns with the legislative platform at least one other neighboring district, i.e., Wayzata.

The Safe Schools Levy, formerly known as the crime levy, allows school districts to levy for costs associated with student and staff safety issues. However, the eligible expenses are limited to police liaison services, drug abuse prevention programs (DARE), gang resistance education training, school security, other crime prevention and student and staff safety

measures, and counseling, social working, and chemical dependency services provided by licensed professionals.<sup>1</sup>

The Safe Schools Levy authorization is now at \$36 per pupil unit. During the last legislative session, both the Governor and the House/Senate Conference Committee supported significant increases in the Safe Schools Levy to \$54 per pupil unit for FY 2019 and additional increases in FY 2020 and later using a combination of levy authority and state aid under an equalization formula.

Currently, there is no dedicated state funding for school cyber security services despite the growing threat of data breaches and ransomware, and the obligations of school districts to protect the privacy of educational data and the integrity of the district's information systems. The Minnesota Data Practices Act defines educational data as private data on individuals and requires school districts to "establish appropriate security safeguards for all records containing data on individuals." Minn. Stat. §§ 13.32, subd. 3 & 13.05, subd. 5(a)(2). The federal Family Educational Rights and Privacy Act also includes a general obligation to maintain student data as private.

School safety is closely tied to the mental well-being of students and staff.<sup>2</sup> Sandy Lewandowski, Superintendent of Intermediate School District 287, which on behalf of 11 Twin Cities school districts serves 1,000 of the highest-need students in the state, stated in a recent *StarTribune* commentary<sup>3</sup> that "Many students have serious, untreated mental health diagnoses. At times, their behavior leads to injuries to themselves and to others. Last year alone, there were 350 staff injuries in my district. . . . We need funding to pay for the things that get at the root of the problem. . . . We need resources and training for school staff to become more familiar with mental health issues and de-escalation techniques. We need schools that are prepared to meet the wide variety of needs and challenges that students bring with them every day."

The demands placed on teachers and other staff to handle these stressful challenges also should be addressed. This academic year, teacher absences in Edina have reportedly increased as much as thirty percent over last year. The mental health of teachers and staff is closely related to the ability of any school district to foster the well-being of students.

The Safe Schools Levy should be increased consistent with the proposals advanced during the last legislative session, and allowable uses expanded to include cyber security and mental health services for both students and staff.

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<sup>1</sup> Minnesota School Finance A Guide for Legislators, Research Department, Minnesota House of Representatives (December 2017) at page 100.

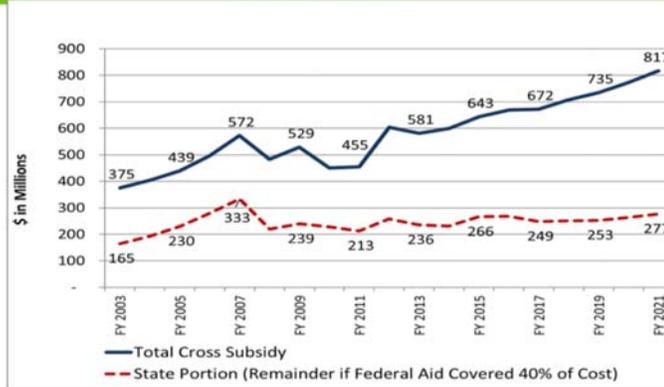
<sup>2</sup> Samuels, Christina, "Students With Emotional Disabilities: Facts About This Vulnerable Population," *Education Week*, March 19, 2018 (<https://www.edweek.org/ew/articles/2018/03/21/students-with-emotional-disabilities-facts-about-this.html>)

<sup>3</sup> Lewandowski, Sandy, "School safety: Resources for student mental health are a must," *StarTribune*, May 25, 2018 (<http://www.startribune.com/school-safety-resources-for-student-mental-health-are-a-must/483744721/>)

# AMSD Position on Special Education

Figure 1

## SPECIAL EDUCATION CROSS SUBSIDY, FY 2003 – FY 2021 Total and State Portion-(if Fed Funding Covered 40% of Excess Cost) Current \$ (Millions)



Source: Minnesota Department of Education

The special education cross-subsidy is the result of federal and state mandates, inadequate state and federal funding and the high level of services needed by and delivered to Minnesota's special education students.<sup>3</sup> The Minnesota Department of Education's FY 2017 cross-subsidy report shows that special education costs exceeded state and federal special education aid by more than \$427 million for AMSD member districts. Statewide, the cross-subsidy was \$672.3 million in FY 2017 and is projected to grow to nearly \$708 million by FY 2018 and nearly \$817 million by FY 2021.<sup>4</sup> Figure 1 shows the projected special education cross-subsidy from 2003-2021. There is a common misperception that the cross-subsidy is strictly due to the failure of the federal government to meet its funding obligation. However, as the graph in Figure 1 shows, the special education cross-subsidy would have been \$249 million in FY 2017 even if the federal government had met its goal of covering 40 percent of special education costs.

### Endnotes

<sup>1</sup> Special Education Expenditure Project, "What Are We Spending on Special Education Services in the United States, 1999-2000?" June 2004, Report funded by the United States Department of Education.

<sup>2</sup> Minnesota Office of the Legislative Auditor, Evaluation Report: Special Education, available at: <http://www.auditor.leg.state.mn.us/ped/pedrep/sped.pdf>

<sup>3</sup>The special education cross-subsidy refers to the amount of general education revenue that a school district uses to pay for its special education program. In other words, the cross-subsidization estimate describes how much additional revenue a district needs to fund special education at the mandated level and still maintain funding for regular education programs. AMSD uses the adjusted net cross subsidy in its calculations.

<sup>4</sup> Minnesota Department of Education, "Special Education Cross-Subsidies Fiscal Year 2016: Report to the Legislature." Available: <https://education.mn.gov/MDE/about/rule/leg/rpt/2018Reports/>



## Association of Metropolitan School Districts

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# AMSD Position on Special Education

**The Association of Metropolitan School Districts supports increased state funding for special education to ensure that all students have the resources and opportunities necessary to achieve state and federal standards.**

### AMSD BELIEVES

- Special education services provided by Minnesota's public schools are critical to the education and quality of life of students with special needs.
- The reductions in children's health services provided by the state and counties have created a system where public schools are the frontline of children's mental health services.
- A growing number of students are coming to school with increasingly complex special education disabilities and extraordinary mental health needs.
- State special education funding and policy must ensure a safe learning environment for both students and staff.
- Minnesota schools have been leaders in providing extracurricular opportunities to special education students outside of special education funding.

### BACKGROUND

The federal government first mandated special education in 1975 when Congress required states to provide a free and appropriate education in the least restrictive environment to all children with disabilities from the ages of 3 to 21. While the 1975 law authorized federal funding of "up to 40 percent of the national average per pupil expenditure for each special education student," the federal government has never

come close to providing that level of funding. The Special Education Expenditure Project (SEEP) estimates that it costs 1.9 times more to educate the average special education student than the average student without special needs.<sup>1</sup> According to SEEP, the federal government has never funded more than 17 percent of the national average of per-pupil expenditures. Minnesota started providing special education services in the 1950s, twenty years before the federal government mandate.

In March of 2013, the Minnesota Office of the Legislative Auditor (OLA) released a comprehensive evaluation report on special education. Among the key findings were that many school districts are diverting state general education aid and referendum revenue to pay for mandated special education costs and that the special education student population in MN has grown by 11 percent since 2000.<sup>2</sup>

The 2013 Legislature made some progress in addressing these findings by approving \$40 million for special education cross subsidy aid and requiring the serving school district to pay 10 percent of the costs for the non-resident special education students they serve. Despite these recent actions, the graph on the next page clearly shows that the special education cross-subsidy continues to present enormous budget challenges for school districts.



## Association of Metropolitan School Districts

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# AMSD Position on Assessment

**State policymakers should take advantage of the flexibility provided under the federal Every Student Succeeds Act (ESSA) to design a state accountability system focused on improving student learning. As allowed under the ESSA, the new system should reduce the number of required standardized tests by allowing school districts to use innovative, local assessments and replace the high school MCA exams with a nationally recognized college entrance exam. The state should provide the necessary funding for all students to take a college entrance exam in grade 11 or grade 12.**

### AMSD BELIEVES

- The primary purpose of assessments should be to improve student learning.
- The assessment system should be transparent, allow for multiple measures to determine proficiency and growth and provide timely results to support instructional and curricular needs.
- The State should provide funding for all students to take a college entrance exam as well as assessments critical to achieving the goals outlined in the World's Best Workforce law.
- The Innovation Zone legislation should be expanded to allow more school districts to pursue innovative, local assessments as is allowed under the ESSA.

### BACKGROUND

Minnesota's accountability and assessment system has been revised numerous times since the adoption of the No Child Left Behind Act (NCLB) in 2002. Significant changes were adopted following the release of a report from the Education Commissioner's Assessment and Accountability Working Group in 2012. Further changes were implemented after

Minnesota was granted a waiver from some NCLB requirements by the United States Department of Education.

In December of 2015, the President signed into law a reauthorization of the Elementary and Secondary Education Act – now known as the Every Student Succeeds Act (ESSA). The ESSA repeals the NCLB adequate yearly progress framework and replaces it with a comprehensive state-designed system. The ESSA maintains annual, statewide assessments in reading and math for students in grade 3 through grade 8 and once in high school as well as science tests given three times between grades 3 and 12. However, the ESSA offers states the flexibility to develop and implement innovative assessments through a pilot program and the ability to offer a nationally recognized high school assessment.

A 2017 report on standardized student testing from the Minnesota Office of the Legislative Auditor offers several findings that state policymakers should take into consideration:

- The Minnesota Department of Education (MDE) spent \$19.2 million on standardized tests in Fiscal Year 2016 with federal sources contributing over one-third of the funding.

## AMSD Position on Assessment

- Administering state-required standardized tests strains the resources of many school districts and charter schools. MDE does not systematically measure the local costs and impacts of state testing requirements.
- Most school districts and charter schools administer other standardized tests in addition to the MCAs and ACCESS tests. Local educators often find their locally adopted tests more useful than the state-mandated tests.

Legislation passed during the 2017 session repealed the graduation requirement that students be given an opportunity to participate on a nationally normed college entrance exam in grade 11 or grade 12. School districts must still offer students the opportunity to take a college entrance exam at the student's high school during the school day. However, state funding is now provided only for students eligible for free or reduced-price meals to take the exam.

The Minnesota Department of Education's Assessment Advisory Committee included several of the recommendations from the Office of the Legislative Auditor's report in the report they released in December of 2017. The Assessment Advisory Committee's recommendations include:

- Eliminating the specificity in state law requiring career and college readiness trajectory for grades 3-8, requiring above and below grade level test items and eliminating the growth formula details.
- Increasing MDE's outreach and support to school districts.
- Using the ACT for the statewide high school assessments.
- Providing state funding for all high school students to take the ACT.
- Reducing the length of the academic assessments.