

# Minnesota Administrators for Special Education

Legislative Platform 2021-2022



## Mission

**MASE** builds strong leaders who work on behalf of students with disabilities. [www.mnase.org](http://www.mnase.org)

**MASE** is organized to promote professional leadership, provide the opportunity for study of problems common to its members, and to communicate, through discussion and publications, information that will develop improved services for exceptional children. Further, its purpose is to foster high quality programs of professional development for members, to make studies of selected programs that relate to services to children with disabilities, to improve the leadership of administrators for special education, and to be active in the legislative process.

# Minnesota Administrators for Special Education

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# MASE

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CASE | [www.casecec.org](http://www.casecec.org)



## Educational Efficiency

1. **MASE** supports a district's ability to set criteria to close a program, such as Early Childhood Special Education (ECSE) and Secondary Transition (Age 18-21 year old programming), to open enrollment. MASE supports: *MN Rule 124D.03 Enrollment Options Program, subd. 2. (a) to define 'programs' to include ECSE and Transition.*
2. **MASE** supports the ability of school districts to seek third party reimbursement for all billable services provided by any qualified provider under the federal Medicaid program so that all students can get the medically necessary services and supports they need within the educational setting without undue administrative burden. School districts need to be allowed to receive MA reimbursement in alignment with other billable related services without having to complete Children's Therapeutic Services and Supports (CTSS) requirements.
3. **MASE** supports local control over due process paperwork forms systems.
4. **MASE** endorses any efforts by the MDE to reduce due process paperwork as doing so will promote a more stable workforce and maximize the time available for educators to provide instruction to students.
  - This is especially critical in light of the challenges presented by the pandemic.
  - Statutory language allowing for Stand-Alone Secondary Transition Assessments.
  - Aligning with federal law that requires that an IEP contains short-term objectives only for students who take alternate assessment.

## Qualified Special Education Workforce

1. **MASE** supports proactively addressing current and future demands of districts for qualified, licensed special education professionals and administrators. **MASE** supports:
  - All special education and related service licensure areas would have a corresponding program within the state or a PELSB-approved out-of-state program, which provides flexibility for working professionals. Priority programs include Blind-Visually Impaired (BVI), Deaf and Hard of Hearing (DHH), School Psychology, and other programs based on state and/or regional needs.
  - Reciprocity for Tier 2 through 4 licensing among mid-western states.
  - Efforts to increase alternative licensure pathways for special education teachers and grow your own special educator programs.
  - No change to the current DHH teacher licensure requirements, as increasing/changing the requirements will put additional burden on districts acquiring qualified teachers in a field that is already experiencing significant workforce shortages, nationally.

## Mental Health Supports for All

1. **MASE** endorses an increase in funding for statewide mental health services and supports available to both students and educators:
  - MASE supports efforts by the legislature to increase the statewide capacity to provide intensive mental health services for children and youth experiencing mental health crises.
  - As a result of the increased mental health needs of students, increased strain placed on the workforce, and inequitable access to resources, the need for accessible mental health supports for educators is vital to create a healthy and sustainable workforce. MASE supports any efforts by the legislature to provide additional funding to increase educator access to qualified mental health providers by supporting systems of care.

## Equitable & Sustainable Funding Systems

1. **MASE** supports a single special education formula that:
  - Is stable and equitable.
  - Simplified to be predictable and consistent.
  - The removal of special transportation for students with disabilities, homelessness transportation, and care and treatment transportation from the special education funding formula.
  - Increase special education funding to hold the state total cross subsidy per ADM constant.
2. **MASE** endorses the special education subcommittee report recommendations completed as part of the funding work group. MASE supports:
  - A committee to design an equitable special education formula that includes tuition billing.
  - Establishing rates in a consistent manner between all districts, including charter schools.
3. **MASE** supports public funds remaining in public education. **MASE** supports:
  - Federal law states that students with disabilities do not have equal access to private schools.
  - Not allowing publicly funded subsidies of private education such as private school voucher programs for any students, including students with disabilities.
  - We support legislative action to align MN statute with federal proportionate share requirements to public school districts' FAPE obligations for nonpublic school students. It should be clarified that the district is obligated to make a FAPE available but that the parent's right to choose which services they want for their child should be preserved. The recent expansion of a MN public school districts' obligation to provide a FAPE from offering a FAPE has had unintended consequences for families and students. Minn. Stat. §§ 125A.18 and 125A.03(a)(2) and (4). See also Special Sch. Dist. No. 1, Minneapolis Pub. Schs. v. R.M.M., 861 F.3d 769, 774 (8th Cir. 2017) (holding that "a plain reading of Minnesota state law shows that private school students have a right to a FAPE.").

