

April 5, 2020

Rep. Jim Davnie, Chair  
House E-12 Finance  
Division

Sen. Carla Nelson, Chair  
Senate E-12 Finance and  
Policy Committee

Rep. Cheryl Youakim  
Chair, House Education  
Policy Committee

Dear Chairs Davnie, Nelson and Youakim:

As you well know, school districts are working to meet the needs of students and communities during these incredibly challenging times. We appreciate your commitment to supporting schools during the COVID-19 pandemic through legislation that supports and assists districts in meeting the needs of communities.

Everyone in the public school community has been involved in this effort. Without question, teachers, staff, administrators, and school board members, have gone beyond their traditional mission and worked tirelessly to meet the needs of our communities by providing child care for the children of our health care professionals and other essential workers and serving breakfast and lunch to our students. At the same time, our teachers and administrators have shown exceptional leadership in the development of distance learning plans to continue to deliver high quality instruction to students in Pre-Kindergarten through Grade 12.

We fully understand that the state budget outlook has changed dramatically over the past few weeks. We are also aware that Congress and the President have approved the Coronavirus Aid, Relief, and Economic Security (CARES) Act and we are anxiously awaiting further guidance and details regarding those funds. With the bulk of the federal funds based on previous Title I allocations, we know that there will be wide variations in the distribution of aid among school districts, with many districts receiving very little assistance. Consequently, we remain hopeful that the State will be able to provide some resources to cover the enormous amount of lost fee revenue school districts have realized in their community and food service funds.

Without question, Governor Walz and Commissioner Ricker have shown exceptional leadership in this difficult time. The Governor's Executive Orders and the Commissioner's formal guidance have ensured that general education revenue continues to flow to school districts. The Executive Orders have ensured that employees continue to be paid, that essential services continue to be provided and that students and staff are safe.

Several items are worthy of note in the executive orders: We appreciate the increased flexibility to make fund transfers within operating funds. This provides a small measure of temporary relief for some school districts. We also appreciate the recent clarification that the "Executive Order does not preclude districts or charter schools from making budget-based layoffs of staff and administrators for programs where dedicated funding streams don't exist, in accordance with applicable local labor agreements." We believe the Executive Order and Guidance clarified that hourly employees in programs with dedicated funding streams must be retained and paid in accordance with applicable local labor agreements.

Our school districts are committed to effectively implementing this Executive Order. While we are uncertain any action is necessary, if you believe this should be codified, we would support legislation that would do so. We do believe compliance with the Executive Orders has been accomplished through the joint efforts of all parties involved. This process has been the result of effective leadership at every level and we plan to continue to be partners in these efforts.

It is our understanding that the Professional Educator Licensing and Standards Board (PELSB) and the Board of School Administrators (BOSA), have indicated that they have the authority, through existing rules, to ensure teachers, pre-service teachers, and administrators are not unduly impacted as a result of the pandemic. We believe legislation is needed to ensure that probationary teachers are not negatively impacted if they are not able to complete 120 days of service due to the pandemic.

We also encourage you to include the necessary, and routine, formula and forecast adjustments to reflect the most recent budget forecast and pupil data in HF4415 as well as the several non-controversial technical corrections that have previously been identified by the Minnesota Department of Education and your nonpartisan staff.

Finally, a recent issue came to our attention related to base special education revenues for 2020-21. To provide districts greater certainty as districts develop budgets for the 2020-21 school year and begin planning for the 2021-22 budget, we encourage you to provide certainty to districts that the special education coding and reporting issues addressed in the Executive Order and Department guidance will have the force of law after the emergency powers have expired.

Thank you again for your commitment to passing legislation to ensure continuity of resources and as much stability as possible for our school districts. A unified, bipartisan effort will best serve the interests of our school communities and all Minnesotans.

Sincerely,

Association of Metropolitan School Districts  
Minnesota School Boards Association  
Minnesota Association of School Administrators  
Minnesota Rural Education Association  
Schools for Equity in Education  
Minnesota Association of Secondary School Principals

Minnesota Elementary School Principals' Association  
Minnesota Community Education Association  
Minnesota School Nutrition Association  
Minnesota Association of School Business Officials

CC: Governor Walz, Speaker Hortman, Majority Leader Gazelka, Minority Leaders Daudt and Kent, Senator Wiger and Representatives Kresha and Erickson