

# MN ASSOCIATION OF CHARTER SCHOOLS – NEW LAW PRIMER 2024

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## SPECIAL EDUCATION PROVISIONS – (MN Statutes 125A)

### **NEW: PROCESS CHANGE FOR ADAPTED PHYSICAL EDUCATION ASSESSMENTS**

**125A.08** (125A.091 subd.3a, Minn. Rule 3525.1352)

When conducting an assessment for developmental adapted physical:

- A school **may conduct** the assessment as a standalone evaluation **without** conducting a comprehensive evaluation of the students in accordance with prior written notice provisions (in 125A.091 subd.3)
- A parent or guardian **may request** that a school conduct a comprehensive evaluation

**EFFECTIVE - JULY 1, 2024**

### **NEW: TIER 1 AND 2 SPECIAL EDUCATION TEACHERS 122A.181**

PELSB **must approve TIER 1 special education** license applications if:

- The school affirms that the applicant will receive high-quality professional development that is sustained, intensive, and classroom focused to have a positive and lasting impact on classroom instruction, before and while teaching
- The school affirms that the applicant will participate in a program of intensive supervision that consists of structured guidance and regular ongoing support for teachers or a teacher mentoring program
- The applicant demonstrates satisfactory progress toward professional licensure
- The period that a Tier 1 special education teacher can be in the position **cannot exceed three years**

**PELSB must approve TIER 2 special education** license applications if:

- The school affirms that the applicant will receive high-quality professional development that is sustained, intensive, and classroom focused to have a positive and lasting impact on classroom instruction, before and while teaching
- The school affirms that the applicant will participate in a program of intensive supervision that consists of structured guidance and regular ongoing support for teachers or a teacher mentoring program
- The applicant demonstrates satisfactory progress toward professional licensure

**EFFECTIVE - JULY 1, 2024**

**NEW: READ ACT TRAINING FOR SPECIAL EDUCATION TEACHERS 120B.123 subd.5**

Every school **must provide their special education teachers with approved Read Act training** by July, 2026, as a part of their phase 1 educators training deadline.

**EFFECTIVE – MAY 17, 2024**

**NEW: ALLOWABLE USES FOR SPED TEACHER PIPELINE GRANTS 122A.77 subd.2**

Pipeline grants are for schools to support employees of the school who demonstrate a willingness to become a special education teacher, in attaining licensure. These funds are no longer restricted to paras or Tier 1 and 2 teachers but can be used for any employee of the school. Funds can be used for:

- Tuition assistance
- Stipends
- Supports for participants including mentoring, licensure test preparation and technology
- Participant recruitment

**EFFECTIVE – MAY 19, 2024**

**NEW: ONE-YEAR EXTENSIONS ON STATE AID FOR PARA SALARIES** Session Law  
2024, Chapter 115, Article 5, Sec. 21 subd. (f)(g) (120B.363)

A school can continue to pay staff in special education para roles, using state special education aid, **only if**:

- Those positions were filled during 2023-24 school year
- Paid for with this state aid
- The para has the one of the following qualifications:
  - Demonstrates the competencies in (1) instructional content and practice (competency 4), and (2) academic instructional skills (competency 9) listed in MN Rules 8710.9000 subpart4, or
  - Is enrolled in a ParaPro or Paraeducator training and testing program

**EFFECTIVE – MAY 19, 2024**

**NEW: SPECIAL EDUCATION LICENSURE RECIPROCITY WORKING GROUP**  
Laws 2024, Chapter 109, Article 5, Sec. 5

PELSB will convene a group of representatives, including a charter school representative recommended by MACS, to meet during the summer and fall to:

- Review other states' special education licensure requirements
- The current process for qualifying for a special education license in Minnesota
- Make recommendations on statutory or rule changes necessary to streamline requirements for out-of-state applicants
- Recommendations must be submitted to PELSB to potentially be included in the boards legislative priorities, and by February 2025

**EFFECTIVE – MAY 17, 2024**

**NEW: READ ACT DEAF BLIND AND HARD OF HEARING WORKING GROUP**

**Laws 2024, Chapter 115, Article 3, Sec.6**

Purpose: MDE must convene a working group to make recommendations on literacy training, screeners, and curriculum for students who cannot fully access sound-based approaches such as phonics.

Responsibilities include:

- Review curriculum, screeners and training approved under the Read Act
- Make recommendations for adapting the resources mentioned above
- Address how curriculum, screeners and training can be modified
- Identify resources for alternatives to sound-based approaches

Timeline: The report will be available on MDE's website by January, 2025

**EFFECTIVE – MAY 19, 2024**