

1.1 A bill for an act  
 1.2 relating to education; amending rules related to specific learning disability;  
 1.3 establishing a Minnesota Multi-Tiered System of Support Center; providing for  
 1.4 rulemaking; appropriating money.

1.5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.6 Section 1. **SPECIFIC LEARNING DISABILITY; RULEMAKING.**

1.7 (a) The commissioner of education must amend Minnesota Rules, part 3525.1341, by  
 1.8 June 1, 2024. The commissioner must revise the rule to align with the federal definition of  
 1.9 specific learning disability, in the following ways:

1.10 (1) eliminate the examination of strengths and weaknesses requirement in Minnesota  
 1.11 Rules, part 3525.1341, subpart 2, item A, clause (2);

1.12 (2) eliminate the evaluation of psychological processes in Minnesota Rules, part  
 1.13 3525.1341, subpart 2, item B;

1.14 (3) eliminate the severe discrepancy model in Minnesota Rules, part 3525.1341, subpart  
 1.15 2, item C; and

1.16 (4) amend Minnesota Rules, part 3525.1341, subpart 2, item D, to:

1.17 (i) remove the specific number of weeks and data points for progress monitoring and  
 1.18 require the IEP team to consider progress monitoring data collected at the developer's  
 1.19 recommended frequency from at least two intensive, scientific, research-based or  
 1.20 evidence-based interventions, implemented with adequate fidelity and closely aligned to  
 1.21 individual student learning needs; research shows a minimum of 12 data points are needed  
 1.22 to ensure a reliable trend; and

2.1 (ii) redefine "inadequate rate of progress" to allow for a child whose rate of progress is  
2.2 greater than their same-age peers, but their rate will not result in the child reaching the  
2.3 average range of their peer's achievement for that area of potential disability or the intensity  
2.4 of the resources needed to obtain their rate of progress cannot be maintained in general  
2.5 education.

2.6 (b) The revised rule does not go into effect until the day after adjournment of the  
2.7 legislative session that begins after the proposed revised rules are approved by the  
2.8 administrative law judge.

2.9 **Sec. 2. MINNESOTA MULTI-TIERED SYSTEM OF SUPPORT CENTER.**

2.10 Subdivision 1. **Establishment.** The commissioner of education must contract with a  
2.11 Minnesota institution of higher education or other educational agency to provide expert-level  
2.12 consultation and assistance to school districts and charter schools related to multi-tiered  
2.13 system of support implementation through the Minnesota Multi-Tiered System of Support  
2.14 (MTSS) Center. The applicant must have demonstrated experience providing statewide  
2.15 support related to building a school district's capacity to implement a sustainable MTSS  
2.16 framework and employ staff who have a high level of expertise on the MTSS framework,  
2.17 and have a strong record of program evaluation experience.

2.18 Subd. 2. **Responsibilities.** The MTSS responsibilities include, but are not limited to:

2.19 (1) assisting the commissioner in revising Minnesota Rules, part 3525.1341, according  
2.20 to section 1;

2.21 (2) developing MTSS guidelines for district school sites and charter schools to enable  
2.22 them to plan and implement a response to intervention model consistent to Minnesota Rules;

2.23 (3) providing professional learning, coaching, and consultation for school sites on the  
2.24 MTSS rules and guidelines, including scientifically-based instruction within a multi-tiered  
2.25 model of instructional supports, standards-aligned instruction, and the use of formative  
2.26 assessment to guide instructional decision making;

2.27 (4) collaborating with ServeMinnesota for the services of reading and math master  
2.28 coaches to assist school sites with interventions;

2.29 (5) collaborating with education departments at higher education institutions to  
2.30 incorporate research on the MTSS framework into applicable teacher licensure programs;

2.31 (6) collaborate with the Minnesota Department of Education's Positive Behavioral  
2.32 Intervention and Supports project;

3.1 (7) consult with the commissioner to evaluate the effect of the MTSS model in Minnesota  
3.2 on learning and school finances;

3.3 (8) disseminate models for evaluation of classroom reading and math curriculum to  
3.4 assure that student needs are met; and

3.5 (9) disseminate research-based interventions used with students who are not on target  
3.6 to meet the state's proficiency standards in reading and mathematics.

3.7 **EFFECTIVE DATE.** This section is effective the day following final enactment.

3.8 Sec. 3. **APPROPRIATIONS.**

3.9 Subdivision 1. **Department of Education.** The sums indicated in this section are  
3.10 appropriated from the general fund to the Department of Education in the fiscal years  
3.11 designated.

3.12 Subd. 2. **Minnesota MTSS Center.** For the Minnesota Multi-Tiered System of Support  
3.13 Center:

3.14 \$            .....    .....    2020

3.15 \$            .....    .....    2021

3.16 (a) Any balance in the first year does not cancel but is available in the second year.

3.17 (b) The commissioner must enter a five-year contract with a Minnesota institution of  
3.18 higher education or other educational entity. The contract term is from July 1, 2019, to June  
3.19 30, 2024.

3.20 (c) The base for fiscal year 2022 and later is \$.....