



February 21, 2022

Senate Education Policy and Finance Committee,

Thank you for the opportunity to provide written testimony on Senate File 1525. Last year, my staff provided comments relaying our grave concerns around diverting funds from the public education system toward scholarships to attend nonpublic schools. We continue to strongly echo those concerns with this approach. I want to be clear that we respect the efforts of all educators and schools in this state and respect the decisions of families to attend nonpublic institutions, but that remains a choice that parents make. While our public education system continues to be under-resourced, the constitutional and ethical duty of our state to fully fund and support our public education system remains paramount.

Section 1 of Article 13 of the Minnesota State Constitution requires the Legislature to establish and support a general and uniform, thorough and efficient system of public schools throughout our state. The State should not be directing tax payer funds to private schools when the Legislature has this constitutional duty to our public schools. Now more than ever, our students, families, educators and public schools need our support. The list of supports that are still under-resourced is large: the general education formula continues to lose buying power; the special education and English learner cross-subsidies grow wider each year; systems, structures, and efforts to improve literacy instruction remain underfunded; student and staff demonstrate more need for mental health supports; our youngest learners continue to miss out on high-quality early learning opportunities; staff shortages need more solutions so students can continue learning; and many more areas critical to the success of our nearly 870,000 public school students. There is clearly much more work to be done to meet the constitutional mandate to support Minnesota's public schools.

Public schools need and deserve to be fully resourced to meet the constitutional mandate of providing a free and public education that serves all students and families, not just some. While all families and their children have access to public schools regardless of racial and ethnic background, socio-economic status, religion, individual educational needs, or where they live, there is no similar expectation that private schools be equitably accessible to students across the state. In fact, private schools are not required to provide all students with the many of the protections afforded by law and they can restrict admission to students based on some of the same factors listed above that our public schools embrace.

Notably, this bill explicitly takes away the supports to students needing special education services that they currently receive by requiring a parent to agree that the student has no entitlement to a free and appropriate public education from their resident districts. There are no assurances that they will get their needs met by the nonpublic school, and this is troubling. Public schools do the right thing and provide the resources necessary to meet an individual's needs even though they know the total costs for providing this critical support will be under-funded and have to be made up elsewhere in the budget because state and federal funding falls short. While there are private schools that serve students that need special education services, many still can simply deny access to these specific students, and it is wrong. Not only is it wrong for students who attend

private school, but it is also wrong for students who attend public school because it diverts more funds away from public schools that will impact the special education services students need and deserve.

Minnesota already has many school choices for parents and students. Current public school choice options include inter-district and intra-district open enrollment, magnet schools, charter schools, PSEO, concurrent enrollment, alternative schools, and a range of programs including AP/IB, gifted and talented, on-line learning, and special education. Parents also already have the choice to send their children to nonpublic schools as well. This bill weakens our public schools by diluting the resources needed to meet the expectation and responsibility clearly articulated in Minnesota's Constitution. We must fully support our public schools and not divert funding to private schools that don't have the same accountability, open doors, or expectations to offer an equitable education.

I strongly encourage the Senate to take advantage of the historic opportunity presented to the State of Minnesota with this budget surplus. Invest in evidence-based strategies that impact student outcomes, including: a multi-pronged approach to improving literacy by funding our BOLD literacy plan and multi-tiered systems of support; bolstering structural needs like a bump to the general education formula, reducing the special education and English learner cross subsidies, and increasing funding for American Indian education; getting sorely needed supports to our intermediate school districts; providing more opportunities for greater Minnesota schools to offer rigorous coursework; making sure that all our students are fed in school; funding school counselors, school nurses, school psychologists, school social workers, and other student support personnel in our schools; providing a public and targeted four-year-old prekindergarten option AND increasing early learning scholarships; creating more out-of-school and after school opportunities; supporting the creation of more full-service community schools; and funding more efforts to recruit, mentor, and retain diverse and qualified educators. I implore you to adopt Governor Walz and Lt. Governor Flanagan's Due North Plan and invest in our children, family, educators, and communities to create a brighter future for all.

Sincerely,



Heather Mueller,
Commissioner of Education