

HOUSE RESEARCH

Bill Summary

FILE NUMBER: Officers; staff. Places employees of the board of educational administration in the unclassified civil service. **DATE:** March 3, 1999

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Subject: Establishing a board of educational administrators

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Overview

The 1998 omnibus kindergarten through grade 12 funding bill abolished the state board of education, effective December 31, 1999. Among the statutory duties of the state board of education is the responsibility to license school administrators. The bill proposes to establish a board of educational administration to perform the licensing functions performed by the state board of education.

- 1 Licensure rules.** Allows the commissioner make licensure rules for school personnel not licensed by the board of teaching or the board of educational administration.
- 2 Teacher rule variances; commissioner.** Allows the commissioner to grant a variance to administrators' licensure rules only with the agreement of the board of educational administration.
- 3 Teacher rule variances; state board of education.** Allows the state board of education to grant a variance to administrators' licensure rules only with the agreement of the board of educational administration.
- 4 Authority to license.** (b) Directs the board of educational administration to license supervisory personnel except athletic coaches. Directs the state board of education to license athletic coaches.
(c) Requires licenses issued under the jurisdiction of the board of educational administration to be issued through the licensing section of the department.
- 5 Expiration and renewal.** Requires licenses to expire and be renewed according to board of educational administration rules. Directs the board of educational administration to establish requirements for renewing the licenses of supervisory personnel except athletic coaches. Directs the state board of education to requirements for renewing the licenses of athletic coaches.
- 6 Human relations.** For purposes of issuing or renewing a license, directs the board of educational administration to accept VISTA, Teacher Corps and Peace Corps training programs

in lieu of the human relations component of a training program.

7 Background checks. (a) Directs the board of educational administration to request a criminal history background check from the bureau of criminal apprehension on all applicants for an initial license.

(c) Allows the board of educational administration to issue a license pending completion of a background check.

8 Definitions.

Subd. 1. Scope. Defines the terms used in this section.

Subd. 2. Board. Defines board to mean the board of educational administration.

Subd. 3. Community education director. Defines the director to mean a person employed to perform administrative and supervisory duties as a community education director.

Subd. 4. Principal. Defines principal to mean a person who devotes more than 50 percent of the time to administrative and supervisory duties as an elementary or secondary or elementary and secondary principal or assistant principal.

Subd. 5. School administrators and supervisors. Defines administrators and supervisors to mean superintendents, principals, special education directors, community education directors and vocational administrators.

Subd. 6. Special education director. Defines the director to mean a person employed to perform administrative and supervisory duties for special instruction and services for disabled children as a special education director or assistant director.

Subd. 7. Superintendent. Defines a superintendent to mean a person employed as a superintendent or assistant superintendent.

Subd. 8. Vocational administrator. Defines vocational administrator to mean a person performing administrative or supervisory duties for vocational education.

9 Board of educational administration.

Subd. 1. Appointment of members; eligibility. Establishes an 11-member board representing specified vocations appointed by the governor with the advice and consent of the senate. Exempts the representatives of higher education and the public from the requirement that board members be fully licensed, have five years of administrative or supervisory experience in Minnesota, including two years immediately preceding appointment to the board.

Subd. 2. Terms; compensation; removal. Establishes members' terms, removal and filling of vacancies under the section governing health-related and non-health related licensing boards. Provides for staggered terms. Compensates private citizens and provides for board member expenses. Precludes a board member who is a public employee from receiving a \$55 daily payment for time spent on board activities. Prohibits the employer of public employee members from reducing the member's compensation or benefits for the member's absence when engaging in board business. Prohibits a member from being appointed for more than two terms.

Subd. 3. Vacant position. Declares as vacant the position of a member who leaves Minnesota or whose employment status changes.

Subd. 4. Administration. Provides for administering board activities under the chapter governing examining and licensing boards.

10 Meetings.

Subd. 1. Meetings. Directs the board of educational administration to meet regularly at the call of the chair or at members' written request and to elect board officers.

Subd. 2. Executive secretary. Requires the state board of education to have an executive

secretary in the unclassified service who is not a board member.

11 Duties of board of educational administration.

Subd. 1. Licensing. Requires the board to license school administrators and supervisors and adopt licensure rules that accommodate alternative preparation programs.

Subd. 2. Preparation programs. Directs the board to review and approve preparation and alternative preparation programs for school administrators and supervisors.

Subd. 3. Rules for continuing education requirements. Directs the board to adopt rules for continuing education requirements.

Subd. 4. Code of ethics. Permits the board to adopt or amend by rule a code of ethics.

Subd. 5. Commissioner's representative to comment on proposed rule. Requires a representative of the commissioner to comment on the cost and educational implications of a proposed rule.

Subd. 6. Register of persons licensed. Directs the board's executive secretary to keep a record of board proceedings and an annual register of licensed persons. Requires the register to be made available to the public.

Subd. 7. Commissioner's assistance; board money. Directs the commissioner to provide the materials and assistance the board needs to transact business. Requires the board to deposit all money it receives into the state treasury. Requires an appropriation to the board to pay for the board's administrative expenses.

12 Grounds for revocation, suspension or denial. (a) Allows the board of educational administration to revoke, suspend or deny a license for cause.

(b) For teachers licensed by more than one board, requires the licensing board issuing the license in the field in which the teacher is then practicing to initially investigate a complaint. Allows another licensing board to also consider the complaint.

13 Mandatory reporting. Requires a school board to report to the board of educational administration when an administrator is discharged or resigns after charges are filed with the school board or when the administrator is suspended or resigns while under investigation.

14 Teachers' and administrators' licenses; fees. Requires applications for issuing, renewing or extending the licenses of school administrators or supervisors to be accompanied by a processing fee set by the board of educational administration.

15 Applicants trained in other states. Allows the board of educational administration to issue a license to an applicant holding a diploma or degree from another state.

16 Requirements. Limits to one year an alternative preparation license issued by the board of educational administration to participants admitted to an alternative preparation program.

17 Approval for standard entrance license. Requires the resident mentorship team to prepare for the board of educational administration an evaluation report on the performance of alternative preparation licensees.

18 Standard entrance license. Directs the board of educational administration to issue a standard entrance license to an alternative preparation licensee.

19 Duties and powers of SC board of directors. Allows SC board of directors to employ service area personnel licensed by the board of educational administration.

20 Background check required. Gives a school hiring authority the discretion not to request a criminal background check on an individual who holds an initial entrance license issued by the board of educational administration within the 12 months preceding the offer of employment.

21 Teacher standards. Makes an administrator at the Faribault academies subject to the licensure

standards of the board of educational administration.

- 22 **Non-health related licensing board.** Defines non-health related licensing board to include the board of educational administration.
- 23 **Services provided.** Directs the commissioner of children, families and learning to provide support services to the board of educational administration.
- 24 **Officers; staff.** Places employees of the board of educational administration in the unclassified civil service.
- 25 **Requirements.** Declares that the 50 clock hour limitation on continuing education and training requirements do not apply to the board of educational administration.
- 26 **Transfer of powers and duties.** Transfers the powers, duties and responsibilities of the state board of education for supervisory personnel, except athletic coaches, to the board of educational administration.
- 27 **Appropriation.** Appropriates an unspecified amount in fiscal year 2000 from the general fund to the board of educational administration for purposes of sections 1 to 26.