

HOUSE RESEARCH

Bill Summary

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Subject: Establishing a central depository of employment data on licensed education personnel

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Overview

The 1998 legislature directed the board of teaching to convene a working group "to consider data management policies and appropriate organizing structures and operational practices for a central depository of data containing licensing and employment information about licensed education personnel employed by Minnesota school districts." The November 1998 board report makes the following recommendations: (1) the department of children, families and learning should develop and maintain an up-to-date reporting system on all licensed personnel; (2) school districts should report employment data, including data on substitute teachers, to the department of children, families and learning annually; (3) the mandatory reporting requirement should clearly apply to probationary teachers, superintendents and charter schools and it should permit electronic reporting to the licensing boards through the electronic reporting system of the department of children, families and learning; (4) an immunity clause should be included in statute so that school boards, their members and school district employees would be immune from legal liability for releasing personnel data; and (5) the board of teaching should provide written guidelines and training opportunities in collaboration with state professional organizations.

- 1 Standard statewide application for employment form.** Directs the board of teaching to develop a standard statewide application for employment form that school districts must give to all licensed education personnel seeking employment. Permits districts to add consistent supplementary provisions to the form. Requires the form to contain a consent provision whereby the prospective employee agrees to the release of or access to all information about that employee that is personnel data.
- 2 Mandatory reporting.** Expands the requirement to report to the board of teaching, the state board of education or the board of trustees of the Minnesota state colleges and universities, whichever has jurisdiction over a teacher's license, when a teacher is discharged or resigns or is suspended pending an investigation for conduct unbecoming a teacher or other causes. Includes probationary teachers and school superintendents in addition to continuing contract teachers

under the mandatory reporting requirement. Makes this reporting requirement applicable to the board of directors and the operators of a charter school.

3 Duty to report employment data; standard employment application form; immunity from liability.

Subd. 1. Duty to report employment data. Requires school districts and charter schools to annually report to the department of children, families and learning the employment data on licensed education personnel, including substitute teachers, employed by the district as of October 1 of the current school year. Also requires school districts to report to the department any changes in the status of licensed education personnel, including newly hired personnel and the terminations and resignations of currently employed personnel, within 10 calendar days.

Subd. 2. Standard statewide application for employment form. Requires school districts to provide prospective employees who are licensed education personnel with a standard statewide application for employment form to complete and sign. Permits districts to add consistent supplementary provisions to the form. Requires the form to contain a consent provision whereby the prospective employee agrees to the release of or access to all information about that employee that is personnel data.

Subd. 3. Immunity from liability for releasing information. Immunizes a school board, its members and school district employees from civil and criminal liability for releasing or gaining access to information about an employee related to the employment application process where the information is released or acquired in good faith and with due care, and comes within the definition of personnel data.

4 State and local requirements. Requires the board of directors or the operators of a charter school to report to the board of teaching the state board of education or the board of trustees of the Minnesota state colleges and universities, whichever has jurisdiction over a teacher's license, when a probationary or continuing contract teacher is discharged or resigns employment.

5 Account to implement and maintain depository of employment data. Creates a general fund account to provide the commissioner of the department of children, families and learning with continuous annual funding to implement and maintain a depository of employment data on licensed education personnel. Annually appropriates \$226,000 into the account. Allows the commissioner to use the funds to implement the depository, train school district staff on data reporting, maintain the system and its applications, and establish a monitoring function to audit school district data.

6 Uniform systems of records and accounting; state board.

Subd. 2. Central database; employed licensed personnel. Directs the state board of education to develop, maintain and monitor an up-to-date reporting system on all licensed education personnel employed in school districts and charter schools. Requires the board to specify the date by which school districts annually must report employment data, which is based on the employment status of district employees as of October 1 of the current school year. Requires school districts to report to the board any changes in the status of licensed education personnel, including newly hired personnel and the terminations and resignations of currently employed personnel, within 10 calendar days. Requires the commissioner to link existing data bases containing information on the employment and licensure history of licensed education personnel.

7 Uniform systems of records and accounting; state board.

Subd. 2. Central database; employed licensed personnel. Directs the commissioner to develop, maintain and monitor an up-to-date reporting system on all licensed education personnel employed in school districts and charter schools. Requires the commissioner to

specify the date by which school districts annually must report employment data, which is based on the employment status of district employees as of October 1 of the current school year. Requires school districts to report to the commissioner any changes in the status of licensed education personnel, including newly hired personnel and the terminations and resignations of currently employed personnel, within 10 calendar days. Requires the commissioner to link existing data bases containing information on the employment and licensure history of licensed education personnel.

- 8 Appropriations; department of children, families and learning.** Makes the following appropriations from the general fund to the department of children, families and learning in the designated fiscal years: \$270,000 in fiscal year 2000 for developing a web-based application and redesigning existing databases to integrate department of children, families and learning staff and licensure data; \$226,000 in fiscal year 2001 for implementing and maintaining a depository of employment data on licensed education personnel.
- 9 Appropriation; state board of teaching.** Appropriates \$25,000 from the general fund to the state board of teaching in fiscal year 2000 for developing and disseminating guidelines and sponsoring training opportunities.
- 10 Effective date.** Makes sections 1 to 7 immediately effective. Makes sections 8 and 9 effective July 1, 1999.