

# HOUSE RESEARCH

## Bill Summary

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**Version:** As introduced

**Authors:** Carlson and others

**Subject:** Re-establishing a state board of education

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### Overview

The legislature established a Public Education Commission, known as the Education Commission, in 1913 (Laws 1913, chapter 571). The commission's general purpose was to "effect economy and efficiency with respect to the several branches of public education in this state, and to devise plans and make recommendations for the teaching of vocational and industrial education in the high schools of the state."

The Education Commission had seven members: the Superintendent of Public Instruction and six members appointed by the governor with the consent of the senate. The commission spent much of its time making recommendations about apportioning state aids to high schools, graded schools, rural schools, and consolidated schools. It recommended that a State Board of Education replace several existing boards: the State High School Board, the Public Library Commission, the Normal School Board, and the board for the special schools for the deaf and blind.

The legislature established a State Board of Education in 1919 (Laws 1919, chapter 334), charging it with providing "general supervision over public schools and public education agencies in the state." The original board had five members and was expanded to seven members in 1951 and to nine members in 1967. The governor appointed one member from each of the state's eight congressional districts and one at-large member to serve staggered four-year terms; the senate approved the appointments. The board set statewide educational policies for the Minnesota Department of Education and for preschool, elementary, secondary, vocational and community education, and public libraries at meetings it held at least monthly. It administered the education department through the Commissioner of Education, whom the board appointed to a four-year term and who served as the board's chief administrative officer.

During Governor Perpich's administration in 1983, legislators introduced three bills affecting the state board: one proposal to abolish the board did not receive a hearing; a second proposal to establish a separate board of vocational education was passed into law; and a third proposal to remove the board's authority to select the education commissioner and give that authority to the governor also passed into law.

Legislators introduced the proposals at the request of Governor Perpich who wanted to appoint his own education commissioner to help advance his education initiatives, arguing that the education commissioner was the only state agency head not appointed by the governor. The board opposed the idea of giving the governor additional power, arguing that the result of the legislation would be to give the governor more centralized control of education and that although consistency and efficiency might be better served with more centralized control, greater values and safeguards and even efficiencies would be sacrificed in the long run. Proponents of the legislation countered that board members were governor appointees and were also "politicized" as a result. Board members responded that their terms were staggered and at no time were all board members appointed by the same governor.

Several legislators in subsequent legislative sessions drafted or introduced bills to abolish the board, but it was not until the 1998 legislative session that such a proposal passed, effective December 31, 1999 (Laws 1998, chapter 398, article 5, section 56, and article 6, section 38).

## Section

### 1 State board of education.

#### **Subd. 1. State board established; appointments; meetings; conflict of interest.**

(a) Requires a state board of education to direct the activities of the state education department. Includes as board members 12 citizens with at least one citizen member from each congressional district, the MNSCU chancellor or a designee, and the University of Minnesota president or designee.

(b) Requires at least four of the citizen board members to have been elected school board members.

(c) Directs the governor to appoint the citizen board members with the advice and consent of the senate. Requires a citizen board member to be chosen annually as board president and precludes a board member from serving more than three consecutive years as board president.

(d) Directs the state board of education to hold its annual meeting in August and to hold other meetings on dates and at places it designates. Prohibits board members from holding public office, serving as a representative or employee of a public or private education entity, or having any personal financial interest in any contract or other conflict of interest.

**Subd. 2. Membership; compensation.** Makes the terms and conditions of board membership subject to the statutory section (MS, section 15.0575) governing administrative boards and agencies.

**Subd. 3. Residency requirement.** Prohibits from continued board service a citizen board member who no longer resides in the congressional district from which the board member was appointed. Directs the governor to appoint a successor within six months.

Makes this section effective December 1, 2009.

### 2 **Revisor's instruction.** Directs that all the statutory references and authority transferred from the state board of education to the commissioner of education in 1998 and 1999 be

changed back, including, among other changes, the authority to supervise educational agencies and adopt or amend administrative rules. Directs the Revisor of Statutes, in consultation with legislative counsel, to make the changes needed to effect this section and to prepare a report for the 2010 legislature showing where the changes were made. Causes the changes the revisor identifies to be effective on December 1, 2009.

Makes this section immediately effective.