

# HOUSE RESEARCH

## Bill Summary

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### Overview

Contains technical, financial, and policy-related changes recommended by the Minnesota Department of Education.

### Article 1: General Education

- 1 Education, residence, and transportation of homeless.** Sets the district of residence for a homeless pupil as the school district where the pupil's parent or guardian resides, unless: (1) the pupil's parental rights have been terminated; (2) the pupil's parent or guardian is living out of state; or (3) the parent or guardian is incarcerated in a correctional facility or in a halfway house under the supervision of the Department of Corrections. Sets the district of residence for a pupil whose parent or guardian is listed in clauses (1) to (3) as the district where the pupil last resided. Requires that if no other district of residence can be determined, the district where the pupil currently resides is the district of residence. Grants the commissioner of education authority to determine the district of residency if there is a dispute among districts regarding the pupil's district of residence.  
  
Requires the serving school district to transport a homeless pupil to and from the pupil's residence. Authorizes the district to transport a formerly homeless pupil from a permanent home in another district until that school year ends. Clarifies that when a homeless pupil is enrolled in a charter school, the district or school that provides transportation for other pupils enrolled in that school is responsible for providing transportation services. Requires the district of residence to provide transportation for a homeless pupil who attends a school other than one operated by a charter school or special or independent school district.
- 2 Assessment of performance.** Clarifies that a child who is not enrolled in a public school only needs to be assessed annually from the ages of seven to 16.
- 3 Reports to superintendent.** Clarifies that the nonpublic pupil report that must be submitted to the superintendent of schools may be done by either the person in charge of providing instruction to the

child or by the nonpublic school.

- 4 **Availability of documentation.** Clarifies that the party maintaining the statutorily required compulsory instruction documents may be either the person in charge of providing instruction to the child or the nonpublic school.
- 5 **Report.** Clarifies that the public school superintendent only needs to file reports with the commissioner of education for nonpublic schools that are not accredited.
- 6 **Definitions.** Replaces a "homeschool" reference with a reference to a nonpublic school that is not accredited.
- 7 **Revenue timing.** Clarifies the calculation of the charter school portion of alternative compensation (Qcomp) aid.
- 8 **Basic alternative teacher compensation aid.** Removes Qcomp basic aid from the general education revenue formula and recreates it as a categorical aid in the statutory section where the Qcomp program is located.
- 9 **Alternative teacher compensation levy.** Removes the Qcomp levy from the general education revenue formula and recreates it as a categorical levy in the statutory section where the Qcomp program is located.
- 10 **Alternative teacher compensation aid.** Removes total Qcomp aid from the general education revenue formula and recreates it as a categorical aid in the statutory section where the Qcomp program is located.
- 11 **Alternative teacher compensation revenue; Perpich Center and multidistrict collaboratives.** Adjusts a cross-reference to reflect the recodification of the Qcomp revenue program.
- 12 **Alternative attendance programs.** Requires a school district to provide transportation to and from school for a homeless nonresident pupil who continues to enroll in a nonresident school district.
- 13 **Continued enrollment for homeless students.** Allows a homeless pupil, whose parent or guardian has moved, to remain enrolled in a nonresident district at the pupil's discretion, without the approval of the board of either the nonresident or the resident school district.
- 14 **General education revenue.** Removes Qcomp revenue from the definition of general education revenue as the program is recreated as a categorical revenue program.
- 15 **General education aid.** Removes Qcomp aid from the definition of general education aid as the program is recreated as a categorical revenue program.
- 16 **Aid to serving district.** Requires the general education revenue generated by a homeless pupil who is enrolled under section 13 in a school other than a charter school or an independent or special school district to be paid to the resident school district.
- 17 **Revisor's instruction.** Requires the Revisor of Statutes to substitute the terms "English Learner" or "EL" for the current statutory terms "English Language Learner," "Limited English Proficiency," "LEP," or "ELL."
- 18 **Repealer.** Repeals the following:
  - Reporting; revenue for homeless - Section 127A.47, subd. 2
  - QComp revenue - Section 126C.10, subds. 34 to 36.

## Article 2: Education Excellence

- 1      **Statewide testing.** (a) Requires the participation of schools identified by the education commissioner for stand-alone field testing or other national sampling. Allows superintendents and charter school directors to appeal to the commissioner for an exemption based on undue hardship. Makes the commissioner's decision final. Requires students who have not passed the state basic skills exam by the end of the 2011-2012 school year to pass the state's GRAD tests except that for the 2012-2013 and 2013-2014 school years only, these students may satisfy the math GRAD test requirement by successfully completing all required course work and credits and participating in two math GRAD retests.
  
- 2      **Transportation.** Allows a low-income parent or guardian of an alternative pupil enrolled in a PSEO course for secondary credit to apply to the pupil's post secondary institution for reimbursement for the necessary costs of transporting the pupil between the pupil's secondary school or home and the post secondary institution.
  
- 3      **Purposes.** Makes improving pupil learning and student achievement as the primary purpose for establishing charter schools. Defines the remaining purposes as additional purposes.
  
- 4      **Formation of a school.** Identifies information a charter school must publish and maintain on its official website including: board and committee meeting minutes for at least one year; directory information about board and committee members; the authorizer's identity and contact information. Requires the authorizer's identity and contact information to be included with other publicly available school materials. Requires the charter school, upon request, to make the school's financial information available in a timely manner.
  
- 5      **Charter contract.** Requires the charter school contract to declare the addition purposes the charter school intends to carry out and how it will report its implementation of the school's primary and additional purposes. Requires the contract to contain the specific conditions for renewing the contract related to the school's declared primary purpose.
  
- 6      **Length of school year.** Measures required instructional time in a charter school based on hours and not days.
  
- 7      **Annual public reports.** Strikes the requirement that a charter school distribute an annual report to the commissioner.
  
- 8      **Affiliated nonprofit building corporation.** (c) Makes having a renovation or purchase plan that describes the project parameters and budget a condition for a charter school to organize an affiliated nonprofit building corporation.  
  
 (d) Allows a charter school to organize an affiliated nonprofit building corporation to expand an existing school facility if the expansion plan describes the project parameters and budget .  
  
 (e) Prohibits a charter school and an affiliated nonprofit building corporation from initiating an installment contract for purchase or a lease agreement or soliciting bids for a project over \$1,400,000 unless the criteria in this subdivision are met and the project receives a positive review and comment from the commissioner.
  
- 9      **Extent of specific legal authority.** Strikes a requirement that a charter school board submit a copy of its insurance policy to the commissioner before starting operations.
  
- 10     **Student organizations.** Corrects an incorrect reference to a student organization in 2011 session laws. Strikes a reference to a student organization serving business occupations. Changes references

to student organizations serving marketing occupations.

### Article 3: Special Programs

- 1        **Extended school year.** Strikes a cross-reference to a statutory section (Minn. Stat. § 125A.16) repealed elsewhere in this article governing responsibility for placing a child in a state institution.
- 2        **Nonresident education; billing.** Requires tuition billing for educating nonresident children under sections 125A.51 and 125A.515 (governing placement of students in residential or other facilities) to be done on commissioner-prescribed forms. Strikes language requiring a copy of the billing to be filed with the commissioner.
- 3        **Approval of education programs.** Defines "on-site education program" to mean the educational services provided directly on the grounds of the care and treatment facility to children and youth placed for care and treatment.
- 4        **Repealer.** Repeals the sections governing responsibility for placement in a state institution (Minn. Stat. § 125A.16) and the uniform billing system for out-of-home placed students (Minn. Stat. § 125A.80).