

HOUSE RESEARCH

Bill Summary

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Overview

Contains K-12 education policy changes adopted in the 2014 regular session.

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Article 1: English Learners and World Language Proficiency

- 1 Early childhood literacy program.** (a) Requires Head Start literacy program providers to: use a culturally relevant integrated approach to early literacy; and provide oral and written information to parents of English learners to know how their children are progressing in developing their English proficiency and, where practicable their native language proficiency, and engage with their children in developing that language proficiency.

(b) Requires Head Start literacy programs to collect literacy data to monitor the progress and provide reading instruction specific to the needs of English learners.
- 2 Application requirements.** Requires Head Start organizations to submit to the education department a plan to provide oral or written information to parents of English learners to enable them to monitor the program's impact on their children, know whether their children are progressing in developing their English proficiency and, where practicable their native language proficiency, and engage with their children in developing that language proficiency.
- 3 Elective standards.**

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Subd. 1a. Foreign language and culture; proficiency certificates. Makes technical changes to correspond to the provisions in subdivision 1b of the section.

Subd. 1b. State bilingual and multilingual seals. (a) Establishes voluntary state bilingual and multilingual seals to recognize high school graduates who demonstrate level 3 functional native proficiency in listening, speaking, reading, and writing on either the Foreign Services Institute language proficiency tests or on equivalent valid and reliable assessments in one or more languages in addition to English. Declares that American Sign Language is a language other than English for purposes of this subdivision and a world language under subdivision 1a.

(b) In addition to demonstrating language proficiency under paragraph (a), requires students: to satisfactorily complete all English language arts credits; and, if the student's primary language is not English, to demonstrate mastery of Minnesota's English language proficiency standards.

(c) Makes a student who demonstrates functional native proficiency in one language in addition to English eligible to receive the state bilingual seal. Makes a student who demonstrates functional native proficiency in multiple languages in addition to English eligible to receive the state multilingual seal.

(d) Directs school districts and charter schools, in consultation with regional centers of excellence, to give students periodic opportunities to demonstrate their level of proficiency in listening, speaking, reading, and writing in a language in addition to English. Where valid and reliable assessments are unavailable, allows school districts and charter schools to rely on a licensed foreign language immersion teacher or a nonlicensed community expert to assess a student's level of foreign, heritage, or indigenous language proficiency. Requires school districts and charter schools to maintain appropriate records to identify students who are eligible to receive a seal. Requires school districts and charter schools to affix the seal to students' transcripts and allows the seal to be affixed to students' high school diplomas. Prohibits school districts and charter schools from charging students a fee for a seal.

(e) Allows school districts and charter schools to award elective course credits in world languages to a student who demonstrates proficiency in a language other than English.

(f) Allows school districts and charter schools to award community service credit to students who demonstrate level 3 functional native proficiency in listening, speaking, reading, and writing in a language other than English and who participate in community service activities that are integrated into the curriculum, involve the participation of teachers, and support biliteracy in the school or community.

(g) Directs the education commissioner to develop a Web page for electronic delivery of the seals. Requires the commissioner to list on the Web page those assessments that are equivalent to the Foreign Services Institute language proficiency tests.

(h) Directs MNSCU colleges and universities to award foreign language credits to

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students who receive a bilingual or multilingual seal and allows the colleges and universities to award foreign language credits to students who receive world language proficiency certificates under subdivision 1a.

Makes paragraph (h) of this section effective for students enrolling in a MnSCU system college or university in the 2015-2016 school year and later. Makes the remainder of the section effective for the 2014-2015 school year and later.

4 School district process for reviewing curriculum, instruction, and student achievement; striving for the world's best workforce.

Subd. 1a. Performance measures. Amends the performance measures to determine district and site progress in striving to create the world's best workforce to include students' access to rigorous coursework and enrichment experiences.

Subd. 2. Adopting plans and budgets. Requires a school district's long-term strategic plan to include strategies for improving instruction, curriculum, and student achievement, including the English and, where practicable, the native language development and the academic achievement of English learners.

Subd. 3. District advisory committee. Directs the district advisory committee to: provide translation to the extent appropriate and practicable; and pursue community support to accelerate the academic and native literacy and achievement of English learners with varied needs, from young children to adults.

Subd. 4. Site team. Allows a school to establish a site team to develop and implement practices and strategies to improve cultural competencies, including cultural awareness and cross-cultural communication at the school.

Subd. 5. Report. Directs a school board to hold an annual public meeting to review and revise strategies and practices for improving curriculum and instruction and cultural competency.

Subd. 7. Periodic report. Directs school districts to periodically survey affected constituencies in their native language where appropriate and practicable.

Subd. 9. Annual evaluation. (b) Directs the education commissioner to identify those school districts in any consecutive three-year period not making sufficient progress toward improving teaching and learning for all students, including English learners with varied needs.

5 Regional centers of excellence. (a) Directs the regional centers to assist districts and schools with: supporting culturally responsive teaching and learning aligning the development of academic English proficiency, state and local academic standards, and career and college readiness benchmarks; engaging parents, families, youth, and the community in programs and activities that foster collaboration and shared accountability for the achievement of all students; and translating district forms and other information such as a multi-lingual glossary of commonly used education terms. Directs centers to work with site leadership teams to

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provide effective and differentiated programs and instruction for different types of English learners, including English learners with limited or interrupted formal schooling and long-term English learners.

6 Reading proficiently no later than the end of third grade.

Subd. 1. Literacy goal. Includes English learners in the legislature's literacy goal.

Subd. 2. Identification; report. Requires reading assessments in English and, in the predominate native languages of district students, to identify and evaluate students' areas of academic need related to literacy. Requires schools to monitor the progress and provide reading instruction appropriate to the specific needs of English learners. Requires the district's locally adopted reading assessment to be developmentally appropriate and culturally responsive.

Subd. 2a. Parent notification and involvement. Requires schools annually to give parents of children not reading at grade level timely information about strategies the parents may use at home to help their children succeed in becoming proficient in reading in English and in their native language.

Subd. 3. Intervention. Adds programs that strengthen students' cultural connections to the list of suggested intervention methods.

Subd. 4. Staff development. Directs school districts to use data to identify staff development needs to enable teachers to: provide reading and oral language instruction that meets students' developmental, linguistic, and literacy needs, including writing; maximize the oral language and linguistic strengths of English learners in their native language in order to cultivate the students' English language development, including oral academic language, and build academic literacy; provide training in culturally responsive pedagogy that enables students to master content, develop skills to access content; and build relationships.

Subd. 4a. Local literacy plan. Directs school districts to adopt a local literacy plan to have every child reading at or above grade level by the end of third grade, including English learners.

7 Planning for students' successful transition to postsecondary education and employment; involuntary career tracking prohibited. (a) Requires student plans to be designed to help students and their families identify collaborative partnerships of prekindergarten through grade 12 schools, postsecondary institutions, economic development agencies, and employers. Requires student plans to be premised on developing 21st century skills including creativity, communication, and critical thinking.

(c) Requires educators to possess the knowledge and skills to effectively teach all English learners in their classroom. Requires school districts to provide appropriate curriculum, targeted materials, professional development opportunities for educators, and sufficient resources to enable English learners to become career and college ready.

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- 8 Statewide testing.** (d) Directs the education commissioner and MnSCU chancellor to align instruction and assessments for ABE and EL students to provide the students with the supports they need to make assessments and other performance measures accessible.
- (k) For purposes of statewide accountability, defines “career and college ready” to mean a high school graduate has the knowledge, skills, and competencies needed to pursue a career pathway, including postsecondary credit leading to a degree, diploma, certificate, or industry-recognized credential and employment. Defines students who are career and college ready as able to successfully complete credit-bearing coursework at a two- or four-year college or university or other credit-bearing postsecondary program without need for remediation.
- (l) Defines “cultural competency” for purposes of statewide accountability to mean the ability and will to interact effectively with people of different cultures, native languages, and socioeconomic backgrounds.
- 9 State growth target; other state measures.** (b) Adds experts in culturally responsive teaching to the stakeholder group of assessment and evaluation experts consulting with the commissioner on the state’s educational assessment system.
- (f) Directs the commissioner, in consultation with experts in assessing the language proficiency and academic performance of English learners, to identify and report appropriate and effective measure to improve current categories of language difficulty and assessments, monitor and report data on students’ English.
- 10 School performance reports.** Adds the acquisition of English, native language academic literacy, and the academic progress of English learners to the school performance measures the commissioner and school districts must report.
- 11 Comprehensive, scientifically based reading instruction.** (a) For English learners developing literacy skills, encourages districts to use strategies that teach reading and writing in the students’ native language and English at the same time.
- 12 License and rules.** (g) Requires all teacher candidates to be prepared in English language development and content instruction for English learners in order to be able to effectively instruct English learners in their classroom.
- (i) Directs the Board of Teaching to required licensed teachers who are renewing their continuing license to include in their renewal requirements further preparation in English language development and specially designed content instruction in English for English learners.
- Makes the section effective August 1, 2015, and applicable to individuals entering a teacher preparation program after that date.
- 13 Preparation programs.** Requires school administrator preparation programs to include instruction on meeting the varied needs of English learners in English and in students’ native

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language.

Makes the section effective August 1, 2015, and applicable to individuals entering a school administrator preparation program after that date.

- 14 Rule for continuing education requirements.** Requires continuing education programs for administrators to provide information and training about building coherent and effective English learner strategies that include relevant professional development, accountability for student progress, students' access to the general curriculum, and sufficient staff capacity to effect these strategies.

Makes the section effective August 1, 2015, and applicable to school administrators renewing their administrator's license after that date.

- 15 Teacher and support personnel qualifications.** (d) Requires teacher candidates to demonstrate the knowledge and skills needed to provide appropriate instruction to English learners or support and accelerate their academic literacy and achievement in content areas in the regular classroom.

Makes the section effective August 1, 2015, and applicable to individuals entering a teacher preparation program after that date.

- 16 Reading strategies.** Requires teacher candidates to be instructed in using students' native languages as a resource in creating effective differentiated instructional strategies for English learners developing literacy skills.

Makes the section effective August 1, 2015 and applicable to individuals entering a teacher preparation program after that date.

- 17 Expiration and renewal.** (b) Requires licensed teachers who are renewing their license to demonstrate reflection and growth in best teaching practices including practices in meeting the varied needs of English learners.

Makes the section effective August 1, 2015 and applicable to licensed teachers renewing their license after that date.

- 18 Bilingual and English as a second language teachers; licenses.**

Subd. 3. Employment of teachers. Strikes a subdivision prohibiting teachers employed in a bilingual education or English as a second language program from being employed to replace any presently employed teacher who otherwise would not be replaced.

Subd. 4. Teacher preparation programs. Requires teacher preparation programs to provide instruction in implementing research-based practices designed specifically for English learners. Requires programs to focus on developing English learners' academic language proficiency in English, including oral academic language, giving English learners access to the full school curriculum, developing culturally relevant teaching practices appropriate for immigrant students, and providing more intensive

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instruction and resources to English learners with lower levels of academic English proficiency and varied needs.

Subd. 6. Affirmative efforts in hiring. Directs districts to give preference to native speakers who share a native language with the majority of their students.

Makes subdivisions 1, 2, 5, and 6 effective August 1, 2015. Makes subdivision 4 effective August 1, 2015, and applicable to individuals entering a teacher preparation program after that date.

- 19 Development, evaluation, and peer coaching for continuing contract teachers.** (b) Requires teachers' annual evaluation process to include longitudinal data on the academic literacy, including oral academic language, and achievement of content areas of English learners.
- 20 Development, evaluation, and peer coaching for continuing contract teachers.** (b) Requires teachers' annual evaluation process to include longitudinal data on the academic literacy, including oral academic language, and achievement of content areas of English learners.
- 21 Plan components.** Requires the Q-Comp educational improvement plan to: include assessment and evaluation tools to measure student performance and progress, including the academic literacy and achievement of English learners; and be based on national and state standards of effective teaching practice applicable to all students including English learners.
- Makes the section effective August 1, 2014 and applicable to plans approved after that date.
- 22 Alternative teacher professional pay system.** Requires the alternative teacher professional pay system agreement to use measure of student achievement including academic literacy, oral academic language, and achievement of English learners.
- Makes this section applicable to agreements approved after August 1, 2014.
- 23 Effective staff development activities.** Requires staff development activities to provide teachers of English learners differentiated instructional strategies critical for ensuring students' long-term academic success, the means to effectively use assessment data on the academic literacy, oral academic language, and English language development of English learners, and skills to support native and English language development across the curriculum.
- 24 Contents of plan.** Requires a staff development plan to address issues related to teaching English learners and students with special needs by focusing on long-term systemic efforts to improve educational services and opportunities and raise student achievement.
- 25 Staff development outcomes.** Requires staff development activities to use research-based best practices, meet the needs of a diverse student population including English learners, and provide an inclusive curriculum for a linguistically diverse student population.

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- 26 Program components.** Requires a school district's teacher residency program to include differentiated instructional strategies, effective use of student achievement data, and support for native and English language development across curriculum and grades.
- 27 Principals' leadership institute.** Requires principals' leadership institutes at the Minnesota State University Mankato or the University of Minnesota to provide professional development to school principals by developing strategies to ensure that diverse student populations have equal access to highly qualified teachers and providing training to analyze data using culturally competent tools.
- 28 People to be served.** Requires state-approved alternative programs, when serving English learners and their families, to take into account the variations in students' backgrounds and needs and the amount of time and the staff resources needed for students to overcome gaps in their education and to develop English proficiency and work-related skills.
- 29 Achievement contract.** Allows site-based achievement contracts to include site-based strategies for English language instruction targeting the teachers of English learners and all teachers and administrators.
- 30 Duties; evaluation.** Makes principals responsible for supporting and improving teaching practices, school performance, and student achievement for diverse student populations, including at-risk students, children with disabilities, English learners, and gifted students.
- 31 Program requirements (ECFE).** Encourages early childhood family education (ECFE) programs to provide parents of English learners with translate information to monitor the program's impact on their children's English language development, to know whether their children are progressing in developing their English and native language proficiency, and to actively engage with and support their children in developing their English and native language proficiency. Requires ECFE programs to include learning experiences that promote children's early literacy and their native language skills.
- 32 Program requirements (school readiness).** Requires school readiness program providers to: assess children's language skills to improve program planning and implementation, communicate with parents, and promote kindergarten readiness; and have teachers knowledgeable in native and English language development programs.
- 33 Local education and employment transitions systems.** Requires a local education and employment transitions systems plan to: increase instruction in English language proficiency; provide staff training in methods of instruction that incorporate English language proficiency; identify current and emerging native and English language development needs of the area or region; and make continuing to work with learners who need English language development part of the program warranty.
- 34 Adult basic education.**
- Subd. 1. Program requirements.** Requires an adult basic education program to offer English language instruction. Requires a program to include measures of student progress toward work-based competency and English language proficiency

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requirements.

Subd. 2. Program approval. Requires the commissioner to approve programs based on how English language proficiency will be met. Requires the commissioner to approve a program for up to five years that demonstrates capacity to: offer learning opportunities and support the service choices of adults at all basic skill and English language levels of need; and address the needs adults have for English language learning support services.

Subd. 5. Basic service level. Requires the basic service level for a program to describe minimum levels of academic and English language instruction and support services provided at each site.

Subd. 7. Performance tracking system. Requires the tracking system for a program to collect data on core outcomes for learners, including English learners.

Subd. 8. Standard high school diploma for adults. Requires individuals participating in an adult basic education program of instruction, where appropriate, to demonstrate English language proficiency.

35 Adult basic education supplemental service grants. Allows the commissioner to make grants for initiatives to accelerate English language acquisition and the achievement of career and college ready skills among English Learners.

36 English learner. (a) Defines an English learner as a pupil who lacks the English skills needed to fully participate in academic classes taught in English based on both a valid assessment measuring the pupil's English language proficiency and by developmentally appropriate measures.

Makes this section effective in the 2015-2016 school year and later.

37 English learner; interrupted formal education. Defines an English learner with an interrupted formal education as an English learner who: comes from a home where the language usually spoken is other than English; enters school in the United States after grade 6; has at least two years less schooling than their peers; functions at least two years below expected grade level in reading and mathematics; and may be preliterate in their native language.

Makes this section effective for 2015-2016 school year and later.

38 Public engagement; progress report and budget process. Allows a district for the purposes of achievement and integration revenue to include the number of world language proficiency or high achievement certificates or the number of bilingual or multilingual seals awarded in the longitudinal data demonstrating progress in reducing the disparities in student academic performance.

39 Parental involvement programs.

Subd. 1. Program goals. Requires parental involvement program guidelines and

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model plans to help parents recognize and meet the native and English language development needs of their children. Makes technical changes.

Subd. 2. Plan contents. Requires model parental involvement program plans to include procedures for coordinating the program with the World's Best Work Force.

Subd. 3. Plan activities. Requires activities included in a model parental involvement program plan to include: opportunities for families to enhance children's native and English language development; engaging liaison workers to foster linguistic and culturally competent communications; and multilingual programs and opportunities for parents. Makes technical changes.

- 40 Parent and family involvement policy.** Encourages local school boards to adopt and implement a parent and family involvement policy that promotes and supports oral and written communications in families' native language and welcomes parents in the school using networks that support families' cultural connections.
- 41 Powers and duties; report.** Requires the Statewide Longitudinal Education Data System (SLEDS) to: report educational outcomes for diverse student populations including at-risk students, children with disabilities, English learners, and gifted students, and include formative and summative evaluations based on multiple measures of student progress toward career and college readiness; and evaluate the relationship between education and workforce outcomes.
- 42 Review of world language competencies.** Directs the education commissioner and the MnSCU chancellor to consult with world language faculty at the University of Minnesota and MnSCU and review specific competencies students master in attaining a world language proficiency seal or certificate. Directs the commissioner and the chancellor to report their findings and recommendations to the legislature by February 15, 2015.
- Makes this section effective immediately.
- 43 Repealer.** Repeals section 122A.19, subdivision 3 (Bilingual and English as a Second Language Teachers; Employment of Teachers.)

Article 2: General Education

- 1 Continued enrollment for students placed in foster care.** Allows a foster home student to return to the school they last attended without the approval needed under the enrollment options program.
- 2 Repealer.** Repeals sections 123B.15 (fine for refusing to serve on a school board); 123B.16 (fine for a school district clerk who fails to make a report); 123B.17 (fine for a school district clerk who draws an illegal order); 123B.18 (fine for a school district clerk who fails to keep or deliver records); 123B.26 (fine for a treasurer who fails to pay a judgment against a school

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district); and 123B.27 (executing a judgment against a school district).

Makes this section effective immediately.

Article 3: Education Excellence

- 1 Admission forms; remedial instruction.** Directs public postsecondary systems to provide data as part of their participation in the Statewide Longitudinal Education Data System (SLEDS) on remedial instruction received by individual students who graduated from a Minnesota school district within two years before receiving the remedial instruction. Directs the Office of Higher Education, in collaboration with the Department of Education, to evaluate and report findings to the legislature.
- 2 Ages and terms.** Allows school administrators to refer pupils age 16 or older who are eligible for the graduation incentives program and have been dismissed from school or chronically truant to an area learning center if it is in the pupil's best educational interest.
- 3 Revisions and reviews required.** Establishes a 10-year review cycle for the academic standards and related benchmarks beginning after the existing timeline in statute.
- 4 Definitions.** (a) Amends the definition of "instruction" under the World's Best Work Force law to include applied and experiential learning.

(d) Defines "experiential learning" to mean learning for students that includes career exploration through a specific class or course or through work-based experiences.
- 5 Performance measures.** Makes a technical change to correct a NAEP reference.
- 6 Regional centers of excellence.** (a) Allows the regional centers to assist districts and schools with common principles of effective practice that includes implementing evidence-based practices including applied and experiential learning, contextualized learning, competency-based curricula and assessments, and other nontraditional learning opportunities, among other evidence-based practices.

(b) Directs the education department to assist regional centers to establish a coherent statewide system of regional support to implement secondary and postsecondary career pathways and technical education.
- 7 Planning for students' successful transition to postsecondary education and employment; personal learning plans.** (a) Directs school districts to assist students to explore their educational, college, and career interests, aptitudes, and aspirations and develop a transition plan to postsecondary education or employment. Requires plans to: prepare students to complete a career and college ready curriculum by meeting state academic standards and developing career and employment related skills; help students identify their interests, aptitudes, aspirations, and personal learning styles that may affect their career and college ready goals; set appropriate career and college ready goals and time lines for

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achieving the goals; and integrate strong academic content into applied and experiential learning opportunities, as well as the reverse, among other requirements.

(c) Requires districts to recognize each student's unique possibilities and ensure that each student's transition plan reflects those possibilities.

Makes this section effective immediately.

- 8 Parent information.** Directs schools districts to annually provide parents with written information about their student's current and longitudinal performance on the state's academic content standards as measured by state assessments.
- 9 Improving schools.** Directs the education commissioner to report annually to the public and the legislature on best practices in those schools that demonstrate high growth.
- 10 License and rules.** (b) Directs the Board of Teaching to adopt rules for initial teacher licensure that require individuals to pass a reading, writing, and math skills exam or attain an equivalent composite score on the ACT Plus Writing or the SAT. Allows the board to issue up to two temporary one-year teaching licenses to an otherwise qualified candidate who has not yet passed the skills exam or attained the requisite composite score on the ACT Plus Writing or the SAT. Requires board rules to direct institutions offering board-approved teacher preparation programs to provide remedial assistance to individuals who did not pass the skills exam or attain the requisite composite score on the ACT Plus Writing or the SAT. Exempts from the effects of this paragraph those non-native English speakers who meet the board's content and pedagogy requirements and who provide direct instruction in their native language or world language instruction. Requires a teacher candidate's official ACT Plus Writing or the SAT score to be not more than ten years old at the time of license.
- (d) Directs the board's redesign rules to create flexible, specialized teaching licenses, credentials, and other endorsement forms to increase students' participation in language immersion programs, world language instruction, career development opportunities, work-based learning, early college courses and careers, career and technical programs, Montessori schools, and project and place-based learning, among other career and college ready offerings.
- Makes this section applicable to individuals applying to the Board of Teaching for their initial license July 1, 2014, or later.
- 11 Teacher and support personnel qualifications.** (b) Directs the Board of Teaching to adopt rules for initial teacher licensure that require individuals to pass a reading, writing, and math skills exam or attain an equivalent composite score on the ACT Plus Writing or the SAT. Allows the board to issue up to two temporary one-year teaching licenses to an otherwise qualified candidate who has not yet passed the skills exam or attained the requisite composite score on the ACT Plus Writing or the SAT. Requires board rules to direct institutions offering board-approved teacher preparation programs to provide remedial assistance to individuals who did not pass the skills exam or attain the requisite composite score on the ACT Plus Writing or the SAT. Requires school districts to provide similar assistance to the teachers employed in the district under a temporary teaching license. Directs the board to

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report annually to the legislature on the total number of teacher candidates during the most recent school year who did not pass the skills exam, have not attained the requisite composite score on the ACT Plus Writing or the SAT, or have not passed a content or pedagogy test, disaggregated by categories of race, ethnicity, and eligibility for financial aid.

(c) Directs the Board of Teaching to grant teaching licenses only to those individuals who have passed the skills exam or attained the requisite composite score on the ACT Plus Writing or the SAT. Exempts from the effects of this paragraph those non-native English speakers who meet the board's content and pedagogy requirements and who provide direct instruction in their native language or world language instruction. Requires a teacher candidate's official ACT Plus Writing or the SAT score to be not more than 10 years old at the time of license.

Makes this section applicable to individuals applying to the Board of Teaching for their initial license July 1, 2014, or later.

- 12 Applicants licensed in other states.** (b) Directs the Board of Teaching to issue a teaching license to an otherwise qualified out-of-state applicant whose scope of license is no more than two grade levels, instead of one grade level less than a similar Minnesota license.

(c)/(d) Direct the Board of Teaching to issue up to three temporary one-year teaching licenses to an otherwise qualified out-of-state applicant to teach the same content field and grade levels for which the applicant was licensed if the scope of the out-of-state license is no more than two grade levels, instead of one grade level, less than a similar Minnesota license or has not completed field specific teaching methods or student teaching or equivalent experience.

(h) Directs the Board of Teaching to require out-of-state applicants for a Minnesota teaching license to pass the reading, writing, and math skills exam or demonstrate the applicant's attainment of either the requisite composite score on the ACT Plus Writing or the SAT unless, notwithstanding other statutory provisions governing out-of-state licensure applicants, an applicable board-approved interstate reciprocity agreement exists to allow fully certified teachers from other states to transfer their certification to Minnesota.

Makes this section effective August 1, 2014.

- 13 Probationary period.** (d) Defines consecutive teaching experience for probationary teachers to allow up to a 12-month leave for maternity, paternity, or medical leave if the probationary teacher completes a combined total of three years of teaching service immediately before and after the leave.

Makes this section effective retroactively from July 1, 2013.

- 14 Development, evaluation, and peer coaching for continuing contract teachers.**

(b) Allows the annual teacher evaluation process to include job-embedded learning opportunities such as professional learning communities. Requires school districts and charter schools to provide for effective evaluator training specific to teacher development

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and evaluation. Allows peer coach observation and interview notes to be disclosed only to other school officials with the consent of the teacher being coached.

Makes this section effective for the 2014-2015 school year and later.

- 15 Probationary period; discharge or demotion.** (c) Allows a probationary teacher whose first three years of consecutive employment are interrupted for maternity, paternity, or medical leave and resumes teaching within 12 months to be considered to have a consecutive teaching experience if the combined total equals three years of teaching service immediately before and after the leave.

Makes this section retroactively effective from July 1, 2013.

- 16 Development, evaluation, and peer coaching for continuing contract teachers.**

(b) Requires a teacher to be evaluated by a peer review in those years when a tenured teacher is not evaluated by a qualified and trained evaluator. Allows the annual teacher evaluation process to include job-embedded learning opportunities such as professional learning communities. Requires school districts and charter schools to provide for effective evaluator training specific to teacher development and evaluation. Allows peer coach observation and interview notes to be disclosed only to other school officials with the consent of the teacher being coached.

Makes this section effective for the 2014-2015 school year and later.

- 17 Alternative teacher professional pay system.** (b) Requires the alternative professional pay system agreement to provide performance pay based on (3) student academic growth that may include value-added models or student learning goals, peer observations that are part of the teacher evaluation process, and (4) teacher participation in job-embedded learning opportunities such as professional learning communities.

Makes clause (3) effective for agreements approved after August 1, 2015.

- 18 Employment exemptions for retired teachers.** Allows teachers to be employed as a behind-the-wheel instructor after retirement.

Makes this section effective immediately.

- 19 Effective staff development activities.** Requires staff development activities to provide opportunities for staff to learn about current workforce trends and the connections between such trends and postsecondary education and training options, including career and technical education options.

- 20 Contents of a plan.** Requires a staff development plan to maintain a strong subject matter focus on student learning goals, consistent with students' transition plan to postsecondary education and employment.

- 21 Staff development outcomes.** Makes improving student achievement in all curriculum areas, including regular academic and applied and experiential learning, a staff development

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goal.

22 Granting a diploma. Allows a pupil completing an area learning center program to receive a diploma from an intermediate district or educational cooperative.

23 Innovative technology cooperative. Allows school districts to enter into an agreement to establish an innovative cooperative center to provide for technology and other educational services. Establishes a process and procedures for implementing and dissolving the agreement.

Makes this section effective July 1, 2014.

24 Pupil application procedures. Strikes the requirement for a pupil and parent meeting with their resident district's staff member before submitting an open enrollment application. Clarifies that a student changing resident districts does not lose their open enrollment seat, but they must submit a new form to update their information.

25 Achievement and integration district transfers (open enrollment). Strikes obsolete references to desegregation in the state's open enrollment law and instead inserts references to the state's achievement and integration for Minnesota program.

26 Nonresident district procedures. Requires a district to give written notice to parents within 90 days of when their achievement and integration district transfer is submitted. Adds a 45-day deadline for parents to notify the nonresident district that their pupil intends to enroll in the district.

27 Lotteries (open enrollment). For school districts with more open enrollment applications than available seats in a specific grade level, requires the district to hold a lottery after the January 15 deadline to determine which nonresident students may enroll. Requires districts to give priority to enrolling siblings of currently enrolled nonresident students and to applications related to an approved integration and achievement plan. Requires a school board to establish and approve a lottery process and post the policy on the district Web site.

28 Basis for decisions. Prohibits districts from using capacity of special education services as a basis for rejecting an enrollment options application.

29 Experiential and applied learning opportunities for students. Encourages school districts to cooperate in providing nontraditional learning opportunities for students. Establishes program parameters.

Makes this section effective for the 2014-2015 school year.

30 Counseling. Strikes the phrase "to the extent possible" from the directive to school district to provide counseling services to students and their parents before enrolling in a postsecondary enrollment options course.

31 Dissemination of information; notification of intent to enroll. Clarifies that the information provided by the school district regarding the postsecondary enrollment options program must include information about enrollment requirements and the ability to earn

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postsecondary credit.

- 32 Enrollment priority (PSEO).** Strikes language prohibiting a postsecondary institution from advertising the financial benefits to high school students of participating in a PSEO course or program at the postsecondary institution.

(b) Requires postsecondary institutions that enroll a secondary student in a course under the state's postsecondary enrollment options program to also enroll an otherwise qualified and enrolled postsecondary student who qualifies as a veteran if the veteran can demonstrate to the postsecondary institution's satisfaction that the institution's enrollment time lines were not practicable for the veteran.

Makes this section effective July 1, 2014.

- 33 Purposes (charter schools).** Indicates that the primary purpose of the charter school section is to improve all pupil learning and all student achievement and increase learning opportunities for all pupils.

- 34 Authorizer.** Includes within the definition of "single purpose authorizer" a nonprofit limited liability company organized solely for chartering schools.

Makes this section effective immediately.

- 35 Formation of a school.** (b) Requires an authorizer to file an affidavit by May 1 to be able to charter a new school in the next school year after the commissioner approves the authorizer's affidavit. Requires the education commissioner to finally approve or disapprove an authorizer's amended affidavit within 15 business days after receiving the authorizer's response to cited deficiencies.

(j) Strikes the existing language in and proposes new language for this paragraph. Allows a charter school to apply to its authorizer to add grades or sites beyond what the charter provides. Directs the authorizer to submit a supplementary affidavit to the commissioner by October 1 if the authorizer approves the school's application. Requires the supplementary application to demonstrate the need for the expansion, a longitudinal record of student academic performance and growth, a history of school finances and a plan for financing the expansion, and board capacity to oversee a plan to administer and manage the expansion.

(k) Requires the education commissioner to finally approve or disapprove an authorizer's amended supplemental affidavit within 15 business days of receiving the authorizer's response to cited deficiencies.

- 36 Charter contract.** Makes the performance of all students the most important factor in determining whether to renew a charter school contract.

- 37 Audit report.** (a) Directs a charter school to include in its audit report copies of the management agreements with a charter or educational management organization and service agreements or contracts above a certain threshold. Requires the agreements to detail the services provided and the annual costs of the services.

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- 38** **Federal, state, and local requirements.** (f) Allows a charter school to offer a free pre-school or kindergarten program and strikes a prohibition against providing instruction to people younger than five years old.
- (i) Declares that once a student enrolls in the school, the student is considered an enrolled student until the student formally withdraws from the school or is expelled under the Pupil Fair Dismissal Act.
- (t) Declares that the teacher evaluation process does not create additional employment rights for teachers.
- (v) Obligates charter schools to comply with all pupil transportation requirements that include transporting pupils who live two or more miles from school. Prohibits a charter school from requiring parents to surrender their pupil transportation rights.
- 39** **Admission requirements.** Requires a charter school that is located in Duluth Township in St. Louis County and serves students in kindergarten through grade 6 to give enrollment preferences to the students and their siblings who reside within a five-mile radius of the school. Allows a charter school to give an enrollment preference to students currently enrolled in the school's free preschool or pre-kindergarten program who are eligible to enroll in kindergarten in the next school year.
- Makes this section effective for the 2014-2015 school year and later.
- 40** **Affiliated nonprofit building corporation.** (a) Allows a charter school to organize an affiliated nonprofit building corporation to purchase, expand, or renovate an existing facility or to construct a new facility if the charter school has: operated for at least six years; as of June 30 a net positive unreserved general fund balance in the three preceding years; long-range strategic and financial plans that include enrollment projects; completed a feasibility study of facility options; and a plan for project parameters and budget.
- (b) Requires an affiliated nonprofit building corporation to post on the school Web site the corporate name, mailing address, bylaws, minutes of board meetings, and current board members' names. Requires the corporation to submit a copy of its annual audit to the commissioner by December 31.
- Strikes existing language on organizing an affiliated nonprofit building corporation.
- (d) Requires an authorizer to oversee the efforts of a school's board of directors to ensure the affiliated nonprofit building corporation complies with all applicable legal requirements. Declares that a board of directors' failure to ensure that a corporation complies with the law is a violation of the board's responsibilities and a factor for the authorizer to consider when evaluating the charter school.
- 41** **Positive review and comment.** Strikes existing language. Prohibits a charter school or its affiliated nonprofit building corporation from finalizing a purchase agreement or construction contract in excess of a statutory threshold before receiving a positive review and comment from the commissioner. Declares null and void a purchase agreement or

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construction contract finalized before a positive review and comment.

- 42 Building lease aid.** Directs the education commissioner to approve building lease aid for a facility lease only if the lease has a closure clause relieving the school of its lease obligations if the charter contract is terminated or not renewed. Makes a charter school responsible for lease obligations in effect before a contract is terminated or not renewed.

Makes this section effective immediately and applicable to all leases and finance agreements entered into or modified after that date.

- 43 Career and technical revenue.** (a) Makes a technical change to a cross reference in a clause allowing a school district with an approved career and technical program to expend program revenue for contracted services provided by a public or private agency other than a school district or cooperative center.

(b) Strikes the language in this paragraph allowing up to ten percent of a district's career and technical revenue to be spent on equipment purchases and requiring districts making equipment purchases to report to the department on the improved learning opportunities for students resulting from the purchase.

(b), (c), (d) Reletter subsequent paragraphs and correct internal cross references.

- 44 Revenue guarantee.** Amends an internal cross reference affecting the career and technical revenue calculation.

- 45 Revenue adjustments.** Makes a technical change.

- 46 Standard high school diploma for adults.** Links existing statutory language establishing eligibility for a standard adult high school diploma to the section establishing the requirements for this diploma.

Makes this section effective August 1, 2014.

- 47 Standard adult high school diploma requirements.** (a) Directs the education commissioner to establish criteria and requirements for eligible adult basic education consortia to effectively operate and provide instruction under this section.

(b) Directs an eligible and interested adult basic education consortium to apply to the commissioner for approval to provide an adult high school diploma program for adult basic education students. Requires an approved consortium to submit data annually to demonstrate its compliance with federal and state law, its approved application, and the efficacy of its adult high school diploma program. Directs the commissioner to use the data to evaluate the program at least every five years. Allows the commissioner to limit the number or size of programs based on specified criteria.

(c) Requires a program provider to work with a student to: identify the student's goals, skills, and experiences, required competencies already completed, and goals and options for viable career pathways; assess the student's instructional needs; and develop an individualized learning plan to guide the student in completing program requirements and realizing career

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goals. Requires the program provider to provide the student ongoing advice, monitor the student's progress, and provide the student with needed academic support services. Directs the program provider to conduct an exit interview to examine the student's experience with the program and to help the student transition to training, a career, or postsecondary education.

(d) Requires competencies and other program requirements to be rigorous and uniform and align with state high school standards applicable to adult learners and their career and college needs. Requires the commissioner to establish competencies, skills, and knowledge requirements in language arts, math, career development and employment-related skills, social studies, and science.

(e) Allows students to demonstrate completion of program requirements by verifying the student's prior experiences, knowledge and skills as measured by assessments or credentials, completed adult basic education instruction and courses, and applied and experiential learning.

(f) Requires program providers to transmit the records of transfer students. Directs the commissioner to establish a uniform format and transcript for recording student work and preserving and transferring student records. At the student's request, requires program providers to transmit a student's records to other entities.

(g) Allows the commissioner to issue a standard adult high school diploma and transmit the student's transcript and record of work. Allows a school district that is a member of an approved consortium to issue a district diploma.

(h) Directs the commissioner to identify best practices for adult basic education programs and develop recommendations to assist approved consortia in providing an adult high school diploma program. Directs the commissioner to assist program providers.

(i) Directs the commissioner to consult with practitioners on establishing standards, requirements, and other criteria to ensure that individuals with a standard adult high school diploma are as equally well prepared and qualified graduates as individuals with a standard high school diploma. Directs the commissioner, in consultation with the practitioners, to regularly review program requirements and diploma standards.

Makes this section effective August 1, 2014.

- 48** **Desegregation/Integration and Inclusive Education Rules.** Strikes an obsolete date. Clarifies that desegregation/integration and inclusive education rules must be consistent with the statutory Achievement and Integration for Minnesota program.

Makes this section effective immediately.

- 49** **Powers and duties; report.** Directs the P-20 partnership to make recommendations to the Governor and legislature on realigning the governance and administrative structures of early education, kindergarten through grade 12, and postsecondary systems in Minnesota.

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50 Career pathways and technical education; key elements; stakeholder collaboration. (a) Directs the P-20 partnership to work with major education stakeholders, groups, and constituencies to recommend to the legislature ways to identify policy, administrative, and statutory changes affecting the World's Best Work Force, students' transition plan to postsecondary education and employment, teacher and administrator licensing, and staff development, among other statutory provisions, in order to effect and, if appropriate, revise a P-20 education system premised on students' individual career and college readiness plans and goals. Directs the P-20 partnership to consider how to: provide students access to knowledgeable individuals and reliable information to pursue career and technical education and other options; engage students in developing and reviewing their own career and college readiness plans and goals and in pursuing academic and applied and experiential learning to help them realize their goals; and identify and apply measures of student progress and program efficacy that can accommodate students' prior education-related experiences and applied and experiential learning.

(b) Directs the P-20 partnership to recommend to the commissioner and postsecondary institutions and programs how to organize and implement a framework of the foundational knowledge and skills and career fields, clusters, and pathways for students enrolled in a secondary school, postsecondary institution, or work-based program. Lists five key elements of these programs of study.

(c) Directs education stakeholders to examine redesigning teacher and school administrator licenses and make recommendations to the Board of Teaching and the board of school administrators to create specialized licenses, credentials, and other endorsement forms to increase students' participation in career and college-ready opportunities. Also directs the education stakeholders to examine how to restructure staff development and training opportunities.

(d) Directs the P-20 partnership to recommend to affected state agencies and postsecondary institutions and systems how to create a mobile, Web-based hub for students and their families that centralizes existing resources on career and employment trends and the needed educational pathways.

Makes this section effective immediately.

51 Rules for open enrollees (Minnesota State High School League). (c) Directs the Minnesota State High School League to adopt league rules making a student with an individualized education program who transfers from one public school to another public school as a reasonable accommodation to reduce barriers to educational access immediately eligible to participate in league-sponsored varsity competition on the same basis as other students in the school to which the student transfers. Directs the league to adopt guidelines for reviewing the 504 plan of a student who transfers between schools to determine the student's eligibility to participate in varsity competition.

Makes this section effective immediately and applicable to all student transfers initiated after that date.

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52 **Effective date.** Changes an enrolling effective date triggered by the ratification of collective bargaining agreements to a single effective date that is uniformly applicable.

53 **Effective date.** Changes an enrolling effective date triggered by the ratification of collective bargaining agreements to a single effective date that is uniformly applicable.

54 **Independent School District No. 2142, St. Louis County.** Allows the St. Louis County school board to hold its meetings at the district's administrative office or at another convenient location outside district boundaries if notice is provided.

Makes this section effective July 1, 2014.

55 **Chaska school start date for the 2016-2017 school year only.** Allows the Chaska school district to begin the 2016-2017 school year before the statutory Labor Day start date.

Makes this section effective for the 2016-2017 school year only.

56 **School year-long student teaching pilot project.**

Subd. 1. Establishment; eligibility. (a) Establishes a pilot program for the 2015-2016 through 2018-2019 school year to provide teacher candidates with intensified and authentic classroom learning and experience so that as newly licensed teachers they are equipped with the best research and best practices available and can immediately begin work to increase student growth and achievement.

(b) Declares as eligible an approved teacher preparation program interested in participating in a partnership with one or more school districts or charter schools if, during the 2014-2015 school year, the interested teacher preparation program identifies needed changes to its program curriculum, develops an implementation plan, and receives Board of Teaching approval to modify its application to the board, and meets the criteria of subdivision 2.

Subd. 2. Application and selection process. (a) Allows eligible partnerships to apply to the Board of Teaching. Requires an applicant to demonstrate its ability to offer a school year-long student teaching program that combines clinical opportunities, academic course work, and in-depth student teaching experiences. Requires a student teacher to have: ongoing access to mentors; ongoing coaching and assessment; assistance in providing an individual professional development plan; and structured learning experiences in collaboration with local professionals and community experts; and receive payment for student teaching time.

(b) Directs the Board of Teaching to make an effort to select qualified and diverse applicants from throughout the state.

Subd. 3. Annual report; evaluation. Directs the Board of Teaching to annually transmit to the legislature by February 1 a data-based report showing participants'

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success in preparing newly licensed teachers.

Makes this section effective for the 2014-2015 through 2018-2019 school years.

- 57 **Repealer.** Repeals Minnesota Statutes, section 122A.61, subdivision 2 (Career Teacher Staff Development).

Article 4: Special Programs

- 1 **Reasonable force standard.** Corrects an obsolete cross reference.
- 2 **Definitions.** Strikes outdated language relating to individual interagency intervention plans.
- 3 **State interagency committee.** Updates the committee membership.
- 4 **Additional duties.** Removes language no longer relevant to the interagency early intervention committees.
- 5 **Responsibilities of school and county boards.** Updates language relating to school and county board responsibilities for coordinating services for eligible children ages 3 to 21.
- 6 **Special instruction for children with a disability.** Defines “free appropriate public education” to mean special education and related services that: are provided at public expense, under public supervision and direction and without charge; meet state standards, including IDEA, Part B or C; include an appropriate preschool, elementary or secondary school education; and are provided to children ages 3 through 21 in conformity with an individualized education program that meets IDEA requirements and to infants and toddlers in conformity with individualized family service plan that meets IDEA requirements.
- 7 **Individualized education programs.** Clarifies that student eligibility and needs under an individualized education program are determined at the time of initial evaluation and re-evaluation.
- 8 **Community transition interagency committee.** Allows rather than requires school districts or special education districts to cooperate with local counties in establishing a community transition interagency committee for youth with disabilities. Recommends rather than requires specific member representation on the committee. Strikes language requiring the committee to elect a chair and meet regularly. Allows rather than requires the committee to prepare the youth for further education, employment, and independent living. Strikes language requiring the committee to follow commissioner procedures and prepare a yearly summary that must be disseminated by October 1.
- 9 **Interagency early intervention committees.** (a) Makes technical changes. Strikes representatives of county boards and school boards from the list of required members on the Interagency Early Intervention Committee. Strikes language requiring the committee to: establish and evaluate assessment and community learning systems and procedural

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safeguards and recommend improvements; assure development of individualized family service plans and individualized education programs and recommend assigning financial responsibility; facilitate development of a transition plan for children under three; and develop a legally enforceable policy to give another committee member access to nonpublic data.

10 Cross-subsidy report. Requires the commissioner to submit an annual cross-subsidy report to the legislature by March 30 instead of January 10.

11 Agency report to court; court review. Changes references from a child's individual interagency intervention plan to a child's standard written plan.

12 Definitions. Corrects an incorrect and obsolete cross reference.

Makes this section effective immediately.

13 Improving the academic performance of underachieving students through a multi-tiered system of early intervention and instructional support. Directs the education commissioner, in consultation with University of Minnesota psychology department faculty and representatives of special education and regular education school administrators and teachers, parents, cooperating school districts, and special education advocacy groups, among others, to develop recommendations for improving the academic performance of under achieving students through a multi-tiered system of early intervention and instructional support. Directs the commissioner to submit written recommendations to the legislature by February 15, 2015.

Makes this section effective the day following final enactment.

14 Repealer. Repeals section 125A.027, subdivision 3 (establishing now-outdated timelines by which governing boards of interagency early intervention committees must implement a coordinated service system for children with disabilities).

Article 5: Nutrition Overview

1 School food services fund. Requires capital expenditures for purchasing food service equipment to be made from the general fund and not the food service fund unless the restricted balance, instead of the unreserved balance, in the food service fund at the end of the last fiscal year is greater than the cost of the equipment being purchased.

2 Donations to food shelf programs. Allows schools and community organizations participating in federal child nutrition meal programs to donate food to food shelf programs if the food shelf: is a nonprofit corporation or affiliated with one; distributes food without charge to needy individuals; does not limit food distribution based on criteria other than need; and has a stable address and directly serves individuals.

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Article 6: Early Childhood Education, Self-Sufficiency, and Life-Long Learning Overview

- 1 **People to be served.** Provides state-approved alternative programs to secondary students but not adults.
- 2 **Family eligibility.** Replaces the term “early childhood education scholarship” with “early learning scholarship.” Adds participation in the federal food distribution program on Indian reservations as automatic eligibility for an early learning scholarship. Clarifies that the sibling preference and continuing scholarships are provided as long as funds are available.
- 3 **Early childhood program eligibility.** Makes a technical change from early childhood education scholarship to early learning scholarship.

Article 7: Libraries Overview

- 1 **Eligibility.** At the request of the regional public library system, allows the education department to grant exceptions to the minimum open hours requirement for: emergency maintenance and repairs following a natural disaster; exceptional economic circumstances; building repair or maintenance affecting public service areas; or documented seasonal use patterns.
- 2 **Consultation; libraries and service delivery.** Directs the education commissioner to consult with various experts on increasing service delivery and collaboration between library governance systems to ensure equitable and cost-effective access to library services throughout Minnesota and increase access to emerging electronic services. Directs the commissioner to report to the legislature by February 1, 2015.

Makes this section effective immediately.

Article 8: Unsession Changes

- 1 **Motorcycle safety education program.** Transfers responsibility for the program to the Commissioner of Public Safety.
- 2 **Administration.** Strikes obsolete language pertaining to 2007 appropriations and a fiscal year 2009 funding stream.
- 3 **Revisor’s instruction.** Directs the Revisor to renumber the Motorcycle Safety Education Program section.

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- 4 Repealer.** Repeals sections 119A.04, subdivision 3 (Transfer of Duties from Office of Strategic and Long-Range Planning); 120A.30 (Attendance Officers); 120B.19 (Chinese Language Programs; Curriculum Development Project); 120B.24 (Endowed Chair); 121A.17, subdivision 9 (Developmental Screening Program Information); 122A.52; 122A.53 (Teacher Registers); and 124D.24 to 124D.31 (Minnesota Family Connections Act.)

Article 9: Conforming Changes

- 1 Applicability.** Strikes a cross reference to a section repealed in the article containing unsession changes.
- 2 Officers, teachers; neglect of duty; penalty.** Strikes a cross reference to a section repealed in the article containing unsession changes.
- 3 Commissioner's assistance; board money.** Strikes a cross reference to a section repealed in the article containing unsession changes.
- 4 Schedule adjustments.** Strikes cross references to sections repealed in the article containing unsession changes.

Article 10: Interstate Compact

- 1 Establishment; membership.** Requires the P-20 Education Partnership to be the state council for the Interstate Compact and that the chair serves as the compact commissioner on behalf of the state. Directs the partnership to include a representative from a military installation when conducting business required under the compact.
- 2 Interstate Compact on Educational Opportunity for Military Children.**
- Article I defines the purposes of the compact.
 - Article II defines the terms used in the compact.
 - Article III defines students' eligibility for purposes of the compact.
 - Article IV provides for official and unofficial transfer of education records, immunization requirements, and age requirements for entering kindergarten and first grade.
 - Article V addresses issues of course and education program placement, special education services and appropriate student placement, placement flexibility, and excused absences related to deployment activities.

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- Article VI establishes eligibility for enrollment and participation in extracurricular activities.
- Article VII facilitates on-time graduation through waivers and alternative exit exams, and a process to accommodate student transfers during senior year.
- Article VIII makes member states responsible for coordinating activities among affected state and local agencies and military installations.
- Article IX creates an Interstate Commission on Educational Opportunity for Military Children and makes commission activities a discretionary state function.
- Article X identifies the powers and duties of the interstate commission.
- Article XI explains the organization and operation of the interstate commission.
- Article XII gives the interstate commissioner the ability to promulgate rules.
- Article XIII establishes terms for oversight, enforcement, and dispute resolution.
- Article XIV directs the interstate commission to pay reasonable expenses for its establishment, organization, and ongoing activities.
- Article XV makes states eligible to become member states.
- Article XVI allows a member state to withdraw from the compact by repealing the statute enacting the compact into law.
- Article XVII declares the compact provisions to be severable and liberally construed to effect compact purposes.
- Article XVIII makes the effect of the compact and compact agreements binding on a member state and supercedes state laws conflicting with the compact.

3 Prevailing law.

Subd. 1. Academic credits; high school diplomas. States that where Minnesota statute or rule governing the awarding of academic credits or a high school diploma or an equivalent degree or credential conflicts with this compact, Minnesota law supersedes the provisions of this compact to the extent of the conflict.

Subd. 2. Education records. Declares that Minnesota law governing access to student data or other education-related data supercedes the provisions of the interstate compact to the extent a conflict exists.

4 Military-connected youth identifier. (a) Requires updated school district enrollment forms to allow students to self-identify as military-connected youth.

(b) Makes data collected under this section private data but allows the education department

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to publish summary data under this section.