

HOUSE RESEARCH

Bill Summary

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Overview

This bill is the House PreK-12 omnibus education finance and policy bill.

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Article 1: General Education

- 1 **Length of the school year.** Authorizes the board of a school district, instead of the commissioner of education, to approve a four-day week school calendar.
- 2 **General education revenue; charter schools.** Authorizes extended support revenue for charter schools (extended time revenue is renamed extended support revenue in section 12). Sets the aid equal to 25 percent of the statewide average extended support revenue.
- 3 **Definition of flexible learning year calendar.** Amends the definition of “flexible learning year program” by removing the requirement that the education commissioner approve a district’s flexible learning year program plan.
- 4 **Establishment of flexible learning year program.** Strikes the requirement that the education commissioner approve a flexible learning year program operated by a district or consortium of districts.
- 5 **Powers and duties.** Strikes the requirement that the education commissioner promulgate rules for operating flexible learning year programs. Removes the requirement that flexible learning year programs comply with the commissioner’s standards and qualifications and the program be submitted to the commissioner for approval.

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- 6 **Termination of flexible learning year program.** Allows a school board to terminate without commissioner approval a flexible learning year program in a day or residential facility for children with disabilities within the district.
- 7 **Program established.** Strikes obsolete language allowing a pupil to participate in a learning year program and accelerate attainment of grade level or graduation requirements.
- 8 **General education revenue.** Strikes obsolete language. Renames “extended time revenue” “extended support revenue.”
- 9 **Basic revenue.** Increases the basic formula allowance from \$5,831 in fiscal year 2015 to \$5,864 for fiscal year 2016 and \$5,898 for fiscal year 2017 and later.
- 10 **Extended support revenue.** Renames “extended time revenue” “extended support revenue” and increases the allowance by \$100 per pupil unit.
- 11 **Local optional revenue.** Creates enhanced equalization aid for the local optional revenue program for school districts where more than 30 percent of the tax base is seasonal recreational property.
- 12 **Compensatory education revenue.** Delinks compensatory revenue from increases in the basic formula allowance and creates a new component of compensatory revenue equal to the sum of the number of free lunch eligible students and one-half the number of reduced price lunch eligible students times the growth in compensatory revenue since fiscal year 2015 that would have occurred had the formula allowance not been frozen at the fiscal year 2015 amount.
- 13 **Operating capital levy.** Corrects an obsolete reference to the funding pupil count.
- 14 **Transportation sparsity revenue.** Increases transportation sparsity revenue for school districts that do not receive operating sparsity revenue and cover at least 525 square miles, and for the St. Louis County school district.
- 15 **Equity revenue.** Increases equity revenue for school districts located in Greater Minnesota by extending the 25 percent upward adjustment in equity revenue to all school districts beginning in fiscal year 2017.
- 16 **General education aid.** Eliminates obsolete language. Corrects the current general education aid definition to include operating capital aid. Removes the reduction due to the student achievement levy.
- 17 **Use of revenue; basic skills revenue.** Expands the uses of basic skills revenue to include teacher recruitment and teacher development activities through mentor-led induction or other local initiatives. Clarifies that basic skills revenue may be used for four-year old or other early education programs.
- 18 **Building allocation.** Grants school boards authority to reallocate compensatory revenue among school sites according to a plan approved by the board.
- 19 **Recommendations.** Clarifies that the school site team’s recommendation on how to allocate compensatory revenue a recommendation submitted is to the school board.

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- 20 Referendum allowance.** Clarifies the language governing the calculation of the operating referendum allowance.
- 21 Referendum allowance limit.** Removes obsolete language.
- 22 Appropriations.** Appropriates money for general education programs. See the House Fiscal Analysis worksheet for details: <http://www.house.leg.state.mn.us/fiscal/files/k1215app.pdf>
- 23 Repealer; benefits levies.** Repeals:
- ▶ 126C.12, subd. 6—annual report on the expenditures of learning and development (class size reduction revenue);
 - ▶ 126C.13, subds. 3a, 3b, and 3c—student achievement levy;
 - ▶ 126C.41, subd. 1-- obsolete authority granting school districts the ability to levy for certain health insurance costs of employees who retired between May 15, 1992, and June 30, 1992;
 - ▶ Rules, part 3500.1000—commissioner’s authority regarding experimental and flexible school year programs.

Article 2: Education Excellence

1 Organization application for registration.

Subd. 1. Placing high school students in Minnesota. Contains existing law directing the Minnesota secretary of state’s office to register international student exchange visitor placement organizations.

Subd. 2. Placing Minnesota students in travel abroad programs. (a) Directs school districts and charter schools with enrolled students who participate in a travel abroad program under an agreement with a travel abroad program provider to annually report to the education department on: the number of Minnesota student deaths that occurred while the students were participating in the program; the number of Minnesota students hospitalized due to accidents or illness while the students were participating in the program; and the program and location where the death or hospitalization occurred.

(b) Directs school districts and charter schools to ask but not require students and families to disclose the information listed under paragraph (a).

(c) Allows school districts and charter schools to supplement the information they provide to the education department. Directs the education department to aggregate the reported data, to post the data on the department Web site, and to include links to federal information about conditions abroad that may affect students’ safety and security and to report on sexual assaults and other criminal acts.

(d) Encourages school districts and charter schools with enrolled students who participate in a travel abroad program under an agreement with a travel abroad program provider to adopt program policies and standards to ensure students’ health and safety.

(e) Requires travel abroad program providers to annually register with the Minnesota secretary of state and to provide specific information to the secretary of state. Directs

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the secretary of state to file a program provider's complete registration and declares that program provider registered. States that registration does not mean secretary of state endorses the program. Directs the secretary of state to annually publish on its Web site the same aggregated student travel abroad data posted by the Department of Education.

(f) Requires program providers annually by August 1 to provide the student travel abroad data listed under paragraph (a) to school districts and charter schools with enrolled students participating in the provider's program.

(g) Declares that school districts, charter schools, the Department of Education, and their employees are immune from civil and criminal liability when acting in their official capacity under this subdivision.

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

2 Foreign language and culture; proficiency certificates. (a), (d) Strike the language on the Minnesota world language proficiency high achievement certificates.

3 State bilingual and multilingual seals. (a) Establishes voluntary bilingual and multilingual seals to recognize high school students who demonstrate an advanced-low level or an intermediate-high level of functional proficiency in listening, speaking, reading, and writing on the American Council on the Teaching of Foreign Languages' (ACTFL) language proficiency tests or on equivalent assessments in one or more languages in addition to English, including American sign language.

(c) Makes a high school graduate who demonstrates an intermediate-high level of functional proficiency eligible to receive the state's gold seal and a high school graduate who demonstrates an advanced-low level of functional proficiency eligible to receive the state's platinum seal. Makes high school graduates who demonstrate the requisite language proficiency in multiple languages in addition to English eligible for a state multilingual gold or platinum seal.

(d) Allows districts and charter schools to periodically assess students' level of language proficiency, and to use trained evaluators where other assessments are unavailable.

(f) Allows a school district or charter school to award community service credit to a student who demonstrates the requisite language proficiency in a language in addition to English.

(g) Directs the education commissioner to list on the department Web site those assessments that are equivalent to the American Council on the Teaching of Foreign Languages' (ACTFL) language proficiency tests.

(h) Directs MnSCU institutions to award college credits to students who demonstrate the requisite level of language proficiency in grade 10, 11, or 12 sufficient to receive a state bilingual or multilingual seal and allows MnSCU to award credits to a student who receives a world language proficiency certificate. Encourages the University of Minnesota to award students foreign language academic credits consistent with this paragraph.

Makes this section effective immediately and applicable beginning with students graduating in the 2014-2015 school year who demonstrate the requisite language proficiency in grade 10, 11, or 12.

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- 4** **Local literacy plan.** (a) Requires local literacy plans to be consistent with statutory requirements governing comprehensive, scientifically based reading instruction and describe: data on the effectiveness of an assessment for screening and identifying a student's reading proficiency; a parent involvement process; how schools will determine a student's intervention strategy leading to measurable reading progress; evidence-based interventions and progress-monitoring on the effectiveness of interventions; and programs to meet staff development needs.

Makes this section effective for fiscal year 2016 and later.

- 5** **Rigorous course taking information; AP; IB; and PSEO.** In the annual legislative report on rigorous course taking, directs the education commissioner to disaggregate the data by student group, school district, and postsecondary institution. Directs the commissioner to include information on participation and expenditures for career and technical education courses offered as a concurrent enrollment course.

- 6** **Reporting.** When publicly reporting test results data, directs the education commissioner to include data on student homelessness among the demographic factors that strongly correlate with student performance.

Makes this section effective immediately and applicable to school year reports for the 2015-2016 school year and later.

- 7** **Student performance data.** Directs the education commissioner to include student homelessness in school districts' demographic profiles when organizing and reporting student performance data to state and local policy makers.

Makes this section effective immediately and applicable to school year reports for the 2015-2016 school year and later.

- 8** **School performance reports.** Includes student homelessness among the statewide information the education commissioner must report annually.

Makes this section effective immediately and applicable to school year reports for the 2015-2016 school year and later.

- 9** **License and rules.** (b) Directs the Board of Teaching to allow teacher licensure candidates to submit essentially equivalent ACT or SAT passing scores in lieu of the college-level skills test scores (MTLE).

(o) Directs the Board of Teaching to adopt rules by January 1, 2016, to license out-of-state teacher candidates. Requires the rules to permit applicants to demonstrate their qualifications through the board's recognition of a teaching license from another state in a similar content field, completion of a state-approved teacher preparation program, teaching experience as the teacher of record in a similar licensure field, depth of content knowledge, depth of content methods or general pedagogy, professional development in and contribution to a specific content field, or classroom performance measured by student growth on normed assessments or effectiveness documented on local evaluations. Requires the rules to include criteria for determining a "similar content field" and "similar licensure area."

Makes this section effective immediately and applicable to all candidates seeking initial teacher licensure, including those holding a temporary, one-year teaching license.

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Teacher and administrator preparation and performance data. (a) Directs the Board of Teaching and the Board of School Administrators, in cooperation with Minnesota Association of Colleges for Teacher Education (MACTE) and Minnesota colleges and universities offering board-approved preparation programs, annually to collect and report summary data on teacher and school administrator preparation and performance outcomes. Requires the Board of Teaching and the Board of School Administrators annually by June 1 to update and post the reported summary preparation and performance data from the preceding school years on a Web site hosted jointly by the boards.

(b) Includes in the summary data on teachers: student entrance requirements, including enrolling students' GPA; students' average scores on college-level skills exams; faculty qualifications; the average time program graduates needed to complete the preparation program; the number and percent of program graduates who were licensed and hired full-time to teach in their licensure field; required credits needed to complete the program and graduate; students' pass rates on exams required for graduation in each program and licensure area; survey results measuring students' satisfaction with the program; the satisfaction of principals and teachers supervising the student teachers; and information under paragraphs (d) and (e), and consistent with teacher preparation program reporting.

(c) Includes in the summary data on school administrators: faculty qualifications; the average time program graduates needed to complete the preparation program; the number and percent of program graduates who were licensed and employed as an administrator; required credits needed to complete the graduate program; survey results measuring the satisfaction of students, graduates, and employers with the program; and information under paragraphs (f) and (g), and consistent with principal preparation program reporting.

(d) Directs school districts annually by October 1 to report information to the Board of Teaching on teachers who finished their probationary period and accepted a continuing contract with the district, including information on the teacher's effectiveness category or rating, the teacher's primary licensure area, and the program preparing the teacher.

(e) Directs school districts annually by October 1 to report information to the Board of Teaching on probationary teachers who were released or whose contracts were not renewed during their probationary period, including information on a teacher's licensure areas and the program preparing the teacher.

(f) Directs school districts annually by October 1 to report information to the Board of School Administrators on school principals and assistant principals who finished their probationary period and accepted a continuing contract with the district, including information on the administrator's effectiveness category or rating and the program preparing the administrator.

(g) Directs school districts annually by October 1 to report information to the Board of School Administrators on principals and assistant principals who were released or whose contracts were not renewed during their probationary period.

Makes this section effective July 1, 2016.

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- 11** **Teacher preparation program reporting.** Directs the Board of Teaching to annually publish on its Web site at least three consecutive years of summary data on teacher preparation program outcomes.
- 12** **Rules for continuing education requirements.** Removes an exception and makes retired school principals who serve as short-call substitute principals or assistant principals subject to continuing education requirements applicable to licensed principals generally.
Makes this section effective immediately.
- 13** **Principal preparation program reporting.** Directs the Board of School Administrators to annually publish on its Web site at least three years of cumulative, summary data on principal preparation program outcomes.
- 14** **Teacher and support personnel qualifications.** (a) Requires the Board of Teaching to license qualified out-of-state teacher candidates.
(b), (c) Direct the Board of Teaching to allow teacher licensure candidates to submit requisite essentially equivalent ACT or SAT passing scores in lieu of the college-level skills test scores (MTLE). At the request of a district or charter school, directs the Board of Teaching to issue an additional temporary one-year teaching license to a teacher employed by the district or charter school who held a temporary one-year teaching license in the previous school year.
Makes this section effective immediately and applicable to all candidates seeking initial teacher licensure, including those holding a temporary, one-year teaching license.
- 15** **Grounds for revocation, suspension, or denial.** Directs the Board of Teaching and the Board of School Administrators, whichever has jurisdiction, to refuse to issue or renew or to automatically revoke an individual's teaching license without the right to a hearing upon receiving a certified copy of a conviction showing that the individual was convicted of a specific crime, including first and second degree sex trafficking, engaging in hiring or agreeing to hire a minor to engage in prostitution, soliciting children to engage in sexual conduct or communicating sexually explicit materials to children, interfering with privacy, stalking a minor victim, and other offenses requiring the individual to register as a predatory offender, among other listed crimes.
- 16** **Licensure via portfolio.** (d) Requires the Board of Teaching to notify candidates who submit a portfolio for teacher licensure whether or not the educator licensing division at the Minnesota Department of Education approved their portfolio and to inform candidates whose portfolios are not approved how to revise their portfolio to successfully demonstrate the requisite competence. Allows a teacher candidate to resubmit a portfolio at any time and requires the department to approve or disapprove the resubmitted portfolio within 60 days.
Makes this section effective immediately and applicable to all portfolios submitted to the educator licensing division at the Minnesota Department of Education after that date.

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Applicants trained in other states.

Subd. 1. Preparation equivalency. Directs the board to establish criteria and streamlined procedures by January 1, 2016, to recognize the experience and credentials of an out-of-state applicant for a Minnesota teaching license and allow the applicant to demonstrate their qualifications for licensure based on performance measures the board adopts by January 1, 2016.

Subd. 2. Applicants licensed in other states. (a) Directs the Board of Teaching to issue a Minnesota teaching license to an out-of-state applicant who meets certain specified criteria, including either: (1) field specific teaching methods, student teaching, or equivalent experience; or (2) at least two years of teaching experience as the teacher of record in a similar licensure field.

(b) Allows the Board of Teaching to issue a standard license based on an out-of-state applicant's teaching experiences and exams.

(c) Directs the Board of Teaching to issue a Minnesota teaching license to an out-of-state applicant who either: (1) completed field-specific teaching methods, student teaching or equivalent experience; or (2) has at least two years of teaching experience as the teacher of record in a similar licensure field, among other criteria.

(d) Directs the Board of Teaching to issue up to three temporary one-year teaching licenses to an out-of-state applicant who holds an out-of-state teaching license to teach in a similar content field and similar grade levels, among other criteria.

(e) Directs the Board of Teaching to issue up to three temporary one-year teaching licenses to an out-of-state applicant who holds an out-of-state teaching license to teach in a similar content field and similar grade levels.

(h) Allows the Board of Teaching to issue a Minnesota teaching license to an out-of-state applicant who obtains qualifying scores on board-approved content and pedagogy tests and the college-level skills exams or the ACT or SAT.

(i) Directs the Board of Teaching to require an out-of-state applicant to pass the reading, writing, and math college-level skills examination or demonstrate attainment of ACT or SAT essentially equivalent passing scores.

Subd. 3. Teacher licensure agreements with adjoining states. (a) Directs the Board of Teaching to enter into interstate agreements for teacher licensure that allow fully certified teachers from adjoining states to transfer their certification to Minnesota and receive a Minnesota teaching license without need to complete exams or other preparation requirements. Directs the board to enter into these agreements only after determining that teacher licensure requirements in the adjoining state are comparable to Minnesota requirements. Allows the board to limit agreements to particular content areas or grade levels based on established priorities or identified shortages. Excludes from this paragraph those teachers holding provisional licenses.

(b) Strongly encourages the Board of Teaching to work with adjoining states to establish reciprocal interstate teacher licensure agreements.

Makes this section effective July 1, 2015.

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- 18 Requirements.** (a) Allows both a nonprofit corporation organized for an education-related purpose that partners with a college or university offering a board-approved teacher preparation program and a nonprofit corporation organized for an education-related purpose, after consulting with a college or university offering a board-approved teacher preparation program, to provide teacher preparation programs that allow candidates to acquire limited term licenses in preparation for acquiring a standard teaching license.
- (b) Requires a person with a limited term license, before becoming the teacher of record, to take the reading, writing, and math college-level skills tests or demonstrate attainment of essentially equivalent ACT or SAT passing scores.
- (c) Clarifies that a limited term license is not a provisional license.
- 19 Program approval; disapproval.** (b) Requires “nontraditional means” to include a portfolio of previous experiences, teaching experience, educator evaluations, certificates marking the completion of education training programs, and other essentially equivalent demonstrations.
- (c) Requires the Board of Teaching to use nontraditional criteria to determine the qualifications of program instructors.
- (d) Allows the board to recognize instructors holding only a bachelor’s degree.
- 20 Standard license.** Directs the Board of Teaching to issue a Minnesota teaching license to a qualified candidate who attains qualifying scores on board-approved college-level skills, pedagogy, and content tests, and is recommended for licensure.
- 21 Nonlicensed community experts; variance.**
- Subd. 1. Authorization.** Allows school districts and charter schools, without need for Board of Teaching approval, to hire nonlicensed community experts after trying to obtain acceptable licensed teachers for the particular course or subject area. Requires a school district or charter school to notify a student’s parent or guardian before placing the student in the classroom of a nonlicensed community expert.
- Subd. 2. Reports; criteria.** Directs school districts and charter schools to report to the Board of Teaching when using a variance to hire local nonlicensed teaching personnel.
- Subd. 3. Comment on variance.** Allows the Board of Teaching to comment on a district or charter school report on using a variance and requires the district or charter school to post the comment on its official Web site.
- Subd. 4. Background Check.** Strikes the requirement for Board of Teaching approval.
- Makes this section effective immediately and applicable to nonlicensed community experts hired after that date.
- 22 Exemption for technical education instructors.** With the approval of the local employer school board, exempts a part-time vocational or career and technical education program teacher from teacher licensure requirements.

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Makes this section effective immediately and applicable to all technical education instructors hired after that date.

- 23 Probationary period.** (a) Allows a local school board to negotiate an unrequested leave of absence plan for probationary teachers as an alternative to a probationary teacher's at-will employment status.

Makes this section effective immediately.

- 24 Development, evaluation, and peer coaching for continuing contract teachers.** (d) Prohibits school administrators from placing students in kindergarten through grade 4 in consecutive school years in the classroom of a teacher with the lowest evaluation rating in the previous school year unless no other teacher at the school teaches that grade. Prohibits school administrators from placing students in grades 5 to 12 in consecutive school years in the classroom of a teacher with the lowest evaluation rating in the previous school year unless no other teacher at the school teaches that subject area and grade.

Makes this section effective for the 2017-2018 school year and later.

- 25 Negotiated unrequested leave of absence.** (a) Requires the school board and the exclusive bargaining representative of the teachers to negotiate an unrequested leave of absence plan. Precludes teachers holding provisional teaching licenses from exercising seniority unless the teacher is a vocational education teacher and a vocational education license is required for the teaching position.

(b) Beginning in the 2017-2018 school year, requires school boards to place teachers on unrequested leave of absence based on their licensure field, evaluation outcomes and effectiveness category or rating, and other locally determined criteria such as teacher seniority. Allows both probationary and continuing contract teachers to be included within an effectiveness category or rating. Does not require a school board to reassign a teacher with more seniority to accommodate the seniority claims of a similarly licensed and effective teacher with less seniority. Prohibits a school board from using a teacher's remuneration to make unrequested leave of absence decisions. Requires all teacher employment contracts to include the negotiated unrequested leave of absence plan. Directs the school board to publish its unrequested leave of absence plan in a readily accessible format.

(c) Allows a teacher who is notified of being placed on unrequested leave of absence to submit to the school board within 14 days a request for a hearing before a neutral hearing officer to establish whether the district met certain teacher evaluation requirements: for probationary teachers, all required evaluations were provided; a three-year teacher professional review and evaluation cycle was established for the teacher; any summative evaluation of the teacher was performed by a qualified and trained evaluator; a peer review evaluation occurred in the those years without a summative evaluation; and, if the teacher did not meet professional teaching standards, an improvement process with goals and time lines was established. Requires the school board and the exclusive representative of the teachers to agree on a panel of people and a process to select the neutral hearing officer. Requires the hearing officer to issue a decision within 14 days of the hearing request. Allows the school board and the exclusive representative of the teachers to negotiate a different process to determine whether the teacher evaluation requirements were met.

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(d) Prohibits using evaluation outcomes and effectiveness categories to place a teacher on unrequested leave of absence if the principal evaluating the teacher is on an improvement plan.

(e) Defines a provisional license as a teaching license issued by the Board of Teaching under a waiver or variance.

Makes this section effective immediately and applicable to negotiated unrequested leave of absence plans agreed to on or after that date.

26 Unrequested leave of absence. (a) Allows a school board to place teachers on unrequested leave of absence, without compensation, due to the discontinuation of a position, lack of pupils, financial limitations, or a merger of classes caused by district consolidation or reorganization.

(b) Makes the provisions of this subdivision on unrequested leaves of absence applicable through the 2016-2017 school year only.

(c) Creates an exception from certain restrictions on exercising seniority for teachers holding vocational education licenses that are required for a teaching position.

(d) For purposes of unrequested leaves of absence and recall, does not require a school board to reassign a teacher in order to accommodate the seniority claims of a less senior, similarly licensed and effective teacher.

(e) Makes the five-year right to reinstatement applicable to teachers placed on unrequested leave of absence who are categorized as effective or better under the district's teacher development and evaluation agreement. Requires teachers on unrequested leave of absence to annually submit to the school board by April 1 a request for reinstatement in the next school year.

(f) Terminates after one school year the right to reinstatement of those teachers placed on unrequested leave of absence who are categorized as ineffective or less. Also terminates the right to reinstatement of those teachers placed on unrequested leave of absence who fail to submit to the school board by April 1 a request for reinstatement in the next school year.

Makes this section effective immediately.

27 Immediate discharge. Requires a school board to immediately discharge a continuing contract teacher whose license has been revoked due to conviction for child abuse, including child sexual abuse.

Makes this section effective immediately.

28 Probationary period; discharge or demotion. (a) Allows a local school board to negotiate a plan for discontinuing or terminating probationary teachers as an alternative to a probationary teacher's at-will employment status.

Makes this section effective immediately.

29 Development, evaluation, and peer coaching for continuing contract teachers. (d) Prohibits school administrators from placing students in kindergarten through grade 4 in consecutive school years in the classroom of a teacher with the lowest evaluation rating in the previous school year unless no other teacher at the school teaches that grade. Prohibits

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school administrators from placing students in grades 5 to 12 in consecutive school years in the classroom of a teacher with the lowest evaluation rating in the previous school year unless no other teacher at the school teaches that subject area and grade.

Makes this section effective for the 2017-2018 school year and later.

- 30** **Grounds for discharge or demotion.** Directs a school board in a first class city school district to immediately discharge a teacher whose license has been revoked due to a conviction for child abuse, including child sexual abuse.

Makes this section effective immediately.

- 31** **Services terminated by discontinuance or lack of pupils; preference given.** (a) For purposes of discontinuing teaching positions in first class city school districts through the 2017-2018 school year, requires the school board first to consider other positions in the district for which the teacher is qualified and to discontinue teachers in the inverse order of their employment.

(b) For the 2017-2018 school year and later, requires the school board of a first class city school district and the exclusive representative of the teachers to negotiate a plan to discontinue and terminate teachers based on their licensure field, evaluation outcomes and effectiveness category or rating, and other locally determined criteria such as teacher seniority. Allows both probationary and continuing contract teachers to be included within an effectiveness category or rating. Does not require a school board to reassign a teacher with more seniority to accommodate the seniority claims of a similarly licensed and effective teacher with less seniority. Prohibits a school board from using a teacher's remuneration to make unrequested leave of absence decisions. Requires all teacher employment contracts to include the negotiated plan for discontinuing or terminating teachers. Directs the school board to publish its plan for discontinuing or terminating teachers in a readily accessible format.

(c) Allows a teacher who is notified of being discontinued or terminated to submit to the school board within 14 days a request for a hearing before a neutral hearing officer to establish whether the district met certain teacher evaluation requirements: for probationary teachers, all required evaluations were provided; a three-year teacher professional review and evaluation cycle was established for the teacher; any summative evaluation of the teacher was performed by a qualified and trained evaluator; a peer review evaluation occurred in the those years without a summative evaluation; and, if the teacher did not meet professional teaching standards, an improvement process with goals and time lines was established. Requires the school board and the exclusive representative of the teachers to agree on a panel of people and a process to select the neutral hearing officer. Requires the hearing officer to issue a decision within 14 days of the hearing request. Allows the school board and the exclusive representative of the teachers to negotiate a different process to determine whether the teacher evaluation requirements were met.

(d), (e) Through the 2016-2017 school year, allow teachers holding a provisional vocational education license required for an available position to exercise their seniority. Prevent other teachers who hold provisional licenses in other fields from exercising their seniority unless the implicated teachers both hold provisional licenses in the same field.

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(f) Prohibits using evaluation outcomes and effectiveness categories to place a teacher on unrequested leave of absence if the principal evaluating the teacher is on an improvement plan.

Makes this section effective immediately and applicable to negotiated plans for discontinuing or terminating teachers after that date.

32 Alternative teacher professional pay system.

Subd. 2. Alternative professional pay system. (c) Allows the alternative teacher professional pay system to: (1) include a hiring bonus or other added compensation for effective or highly effective teachers who work in a hard-to-fill position or in a hard-to-staff school, (2) include incentives for teachers to obtain a master's degree in their content field of licensure or pursue additional licensure in a locally-identified teacher shortage area, or help fund a "grow your own" teacher initiative, and (3) provide for teacher-powered site-governed schools.

33 Staff development program.

Subd. 1. Staff development committee. Requires school boards to use staff development revenue for teacher and principal development and evaluation plans, in-service education programs, and other staff development needs.

Subd. 2. Contents of plan. Requires staff development plans to make staff development outcomes part of districts' teacher development and evaluation agreement and to include procedures to evaluate progress toward meeting staff development outcomes at each school site.

Subd. 3. Staff development outcomes. Directs the advisory staff development committee to adopt a staff development plan that is consistent with the district's teacher development and evaluation agreement for developing and evaluating teachers and improving student outcomes and with the principal evaluation process for strengthening principals' capacity related to instruction, supervision, evaluation, and teacher development.

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

34 Staff development revenue. Requires school districts to reserve at least two percent of basic revenue for teacher and principal professional development and evaluation and for in-service education programs. Allows staff development revenue to be used for other specified purposes, including teacher mentoring, to the extent extra funds are available.

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

35 Practice or student teachers. Requires student teachers to be placed with a cooperating licensed teacher who has at least three years of teaching experience and is not in the improvement process.

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

36 Teacher mentorship.

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Subd. 1. Teacher mentoring programs. (a) Allows school districts to develop and implement mentoring programs for teachers new to the profession or district and to provide mentoring programs to other teachers.

(b) Requires teacher mentoring programs to support districts' teacher development and evaluation and peer review processes. Allows school districts to use staff development revenue or other funding source to pay a stipend to a mentor who may be a district employee or third party contractor.

- 37** **Teacher assignment.** (a) For purposes of district consolidation, assigns the most effective teacher with the greatest seniority to the district receiving the most students and alternately assigns the remaining teachers from most to least effective and with most to least seniority within each effectiveness category or rating.
- (c) Makes the provisions of this section applicable to the extent they conform to other provisions governing teacher development and evaluation and unrequested leaves of absence. Makes this section effective immediately.
- 38** **District-created site-governed teacher-powered schools.** Amends existing law on site-governed schools to specifically refer to the schools as being teacher-powered.
- 39** **Authorization; notification.** Allows 9th and 10th grade students enrolled in a school district or an American Indian-controlled tribal contract or grant school to enroll in a concurrent enrollment course subject to the agreement of the district and the postsecondary institution providing the course or in a world languages course that is available to 11th and 12th grade students and consistent with world languages standards and proficiency seals and certificates.
- 40** **Authorization; career and technical education.** Allows a student in grade 10 who did not take the MCA reading test in grade 8 to substitute another reading assessment accepted by the MnSCU institution enrolling the student in a career and technical education course under the postsecondary enrollment options program.
- 41** **Limit on participation.** Removes the limits on postsecondary enrollment options program participation for students the school district determines are not on track to graduate.
- 42** **Enrollment priority.** (a) Strikes language restricting a postsecondary institution, for the 2014-2015 through 2019-2020 school years, to advertising the educational, programmatic, and financial benefits of its PSEO courses to secondary students residing in a school district with 700 students or more in grades 10, 11, and 12.
- (b) Prohibits postsecondary institutions from enrolling secondary pupils under the postsecondary enrollment options program in courses that are not college level except when a student who is enrolled in the graduation incentives program enrolls full-time in a middle or early college program having a well-defined pathway that allows the student to earn a postsecondary degree or credential.
- Makes this section effective immediately.
- 43** **Credits.** Requires all MnSCU institutions to give full credit to a student enrolling in any MnSCU institution who, as a high school PSEO student, completed a PSEO course or program for postsecondary credit that is part or all of a goal area or transfer curriculum at a MnSCU institution. Requires that once one MnSCU institution certifies a secondary

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student's postsecondary course or program as complete, whether part or all of a goal area or transfer curriculum, all MnSCU institutions must consider the student's course or program for that goal area or transfer curriculum as complete.

Makes this section effective for the 2015-2016 school year.

- 44 Accreditation.** Directs postsecondary institutions providing concurrent enrollment courses to implement national program standards of the National Alliance of Concurrent Enrollment Partnership and evidence for accreditation by the 2020-2021 school year.
- 45 Tribal Nations Education Committee.** Defines "Tribal Nations Education Committee" to mean the committee established through tribal directive that the commissioner consults with on all matters related to educating American Indian students.
- 46 Participating school; American Indian school.** Defines "participating school" and "American Indian school" to mean a school eligible to receive a federal grant for educating American Indian children.
- 47 Program described.** Strikes language requiring a specific focus on improved reading and math skills. Requires program services to help increase the completion and graduation rates of American Indian students, to emphasize academic achievement, retention, and attendance, to develop support services, and to include research projects with innovative teaching approaches, to provide career counseling among other program services. Allows school districts to establish cooperative liaisons with tribal programs and social service agencies when providing these programs and services.
- 48 Enrollment of other children; shared time enrollment.** Allows American Indian children and other children enrolled in a nonpublic school system to be enrolled on a shared time basis in all academic, targeted services, and American Indian education programs.
- 49 Nonverbal courses and extracurricular activities.** Directs American Indian children to fully participate on an equal basis with their peers in predominantly nonverbal school classes such as art, music, and physical education.
- 50 American Indian language and culture education licenses.** Directs the Board of Teaching, in consultation with the Tribal Nations Education Committee, to grant teaching licenses in American Indian language and culture education. Allows the board to consider tribal resolutions as evidence of a person's qualifications for this licensure.
- 51 Resolution or letter.** Strikes language referring to the designee of an American Indian tribal government and obsolete language.
- 52 Affirmative efforts in hiring.** Requires school districts and participating schools to involve parent advisory committees in recruiting, screening, and selecting applicants who share the American Indian culture with enrolled children.
- 53 Community coordinators, Indian home/school liaisons, paraprofessionals.** Allows school districts and participating schools providing American Indian programs to employ paraprofessionals but not to supplant American Indian language and culture education teachers. Requires school districts and participating schools providing American Indian programs to employ one or more full- or part-time community coordinators or Indian home/school liaisons if 100 or more students are enrolled in the district.

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54 Parent and community participation.

Subd. 1. Parent committee. Requires a school board in a school district with 10 or more enrolled American Indian students and each American Indian school to establish an American Indian parent advisory committee to help develop curriculum recommendations required by the World's Best Work Force. Strikes language requiring the committee to address the need for adult education programs. Makes conforming changes.

Subd. 2. Resolution of concurrence. Requires the school board or school to submit to the department, before March 1 instead of December 1, the resolution adopted by the American Indian parent advisory committee regarding the committee's concurrence or nonconcurrence with educational programs provided to American Indian students, including reasons for nonconcurrence and recommendations, where applicable. Requires a school board to respond within 60 days of nonconcurrence to each recommendation and to state the reason for not implementing the recommendation.

Subd. 3. Membership. Includes American Indian paraprofessionals among the members of the American Indian parent advisory committee.

Subd. 4. Alternate committee. Allows an organizational membership of a board of directors of an American Indian school that includes the parents of children attending the school to also serve as the American Indian parent advisory committee.

55 American Indian community involvement. Requires the commissioner to fully involve the Tribal Nations Education Committee and American Indian paraprofessionals, among others, in formulating policies and procedures affecting American Indian education.

56 Technical assistance. Directs the commissioner to provide technical assistance to train teachers and paraprofessionals about culturally responsive teaching methods and culturally based curriculum, among other aspects of American Indian education programs.

57 Duties; powers. Requires the Indian education director to serve as a liaison for the department with the tribal communities in Minnesota. Strikes references to the Urban Advisory Council and postsecondary preparation grants.

58 Achievement and integration for Minnesota.

Subd. 1. Program to close academic achievement and opportunity gap; revenue uses. (a) Establishes the "Achievement and Integration for Minnesota" program to improve academic achievement and promote racial and economic integration and to create equitable educational opportunities and outcomes, among other purposes.

(b) Defines "hard to staff" classroom or school to mean a classroom or school identified by a school board as having difficulty attracting or retaining teachers.

(c) Requires eligible districts to use their achievement gap elimination aid to improve all students' academic achievement and eliminate disparities among categories of students through: school choice programs, innovative academic instruction, and best teaching practices; increased student access to academically rigorous programs

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focused on career and college readiness; family engagement; a diverse corps of administrators and teachers; extended day and extended week programs; summer school; before and after school programs; pre-kindergarten and other early learning programs; incentives for teachers to teach in hard-to-staff classrooms and schools; and other proven programs.

(d) Allows eligible districts to use the integration levy to promote racial and economic integration through: integrated learning environments; policies, curricula, and trained educators and other professionals to support and enhance integrated learning environments through magnet schools, before and after school programs, and summer programs, among other initiatives.

(e) Allows eligible districts to use integration aid and levy to recruit and retain a diverse corps of administrators and teachers and to provide incentives for teachers to teach in hard-to-staff classrooms and schools.

Allows cash incentives to be paid directly to teachers teaching in hard-to-staff classrooms and schools.

Subd. 2. Plan components. (a) Directs school boards to develop and implement a comprehensive plan with specific district and school goals for eliminating disparities in students' academic achievement and promoting their academic success. Allows the plan to include students enrolled in alternative learning centers and contract alternative programs. Allows school boards to also develop and implement an integration plan to increase racial and economic integration.

(b) Directs eligible school districts to implement cost-effective interventions that include formative assessment practices to eliminate disparities in student academic achievement between the highest and lowest performing racial and ethnic categories of students as measures by students' proficiency on state reading and math assessments.

(c) Allows eligible school districts to collaborate in creating efficiencies and eliminating duplicative programs and services.

Subd. 3. Public engagement; biennial report; budget process. (a) In order to receive achievement gap elimination aid, requires school boards of eligible school districts to hold a meeting to publicly report progress on realizing their stated achievement goals. Requires boards to also discuss their integration plans.

(b) Directs eligible school districts to submit a budget to the commissioner by March 15 in the year before implementing their achievement gap elimination plan. Where applicable, directs districts to also submit their integration plan to the commissioner.

(c) Bases longitudinal data used to measure district progress on student growth and progress in reading and math, student performance data and achievement reports generated from fully adaptive reading and math assessments in grades 3 through 8, and high school reading and math tests beginning in the 2015-2016 school year, among other educational accountability data.

Subd. 4. Timeline and implementation. Makes technical and conforming changes.

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Subd. 5. Evaluation. Directs the education commissioner to evaluate plans' efficacy in eliminating disparities in student academic achievement and, where applicable, in realizing economic and racial integration. Directs the commissioner to report to the legislature every fourth year beginning February 1, 2017.

Makes this section effective for revenue for fiscal year 2016 and later.

59 Achievement gap elimination revenue and integration revenue.

Subd. 1. Initial achievement gap elimination revenue. Renames the revenue formula and reduces the portion of revenue reserved for department administrative expenses from 0.3 to 0.2 percent of total revenue. Establishes a formula for calculating a district's initial achievement gap elimination revenue.

Subd. 4. Achievement gap elimination aid. Makes a district's achievement gap elimination aid equal to the lesser of (1) \$350 times the district's adjusted pupil units for that year; (2) 70 percent of its achievement and integration revenue or (3) the district's actual expenditures under its commissioner-approved budget.

Subd. 5. Integration levy. Makes a district's integration levy equal to the sum of: (1) 30 percent of its achievement and integration revenue and (2) the greater of zero or the difference between the district's initial achievement and integration revenue and an amount equal to \$350 times the district's adjusted pupil units for that year.

Subd. 6. Revenue uses. (a) Requires at least 90 percent of a district's achievement gap elimination aid to be used for academic programs consistent with the district plan, and other programs providing direct instructional services to students, among other things.

(b) Allows up to five percent of the aid to be used for professional and staff development and placement services.

(c) Allows up to five percent of the aid to be spent on administrative services.

Subd. 7. Revenue reserved. Requires achievement gap elimination aid to be reserved and used only for programs specified under subdivision 6. Requires the integration levy under subdivision 5 to be reserved and used only for a district's adopted integration plan.

Subd. 8. Commissioner authority to withhold revenue. Makes conforming changes.

Subd. 9. Department funding. For fiscal year 2016 and later, transfers an amount equal to 0.2 percent of the total expenditures under this section in fiscal year 2015 to the education department for oversight and accountability services.

Makes this section effective for revenue for fiscal year 2016 and later.

60 Minnesota transfer curriculum. Requires all MnSCU institutions to give full credit to a PSEO student who completes a postsecondary course or program for postsecondary credit that is part or all of a goal area or transfer curriculum at a MnSCU institution and who then enrolls in a MnSCU institution after leaving secondary school. Requires that once one MnSCU institution certifies a secondary student's postsecondary course or program as

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complete, whether part or all of a goal area or transfer curriculum, all MnSCU institutions must consider the student's course or program for that goal area or transfer curriculum as complete.

Makes this section effective August 1, 2015.

- 61 Unrequested leave of absence for teachers.** For purposes of PELRA, beginning in the 2017-2018 school year and later, prohibits a school board and the exclusive representative of the teachers from executing an employment contract unless it contains an unrequested leave of absence plan or a plan for discontinuing or terminating teachers.

Makes this section effective immediately.

- 62 Teacher development and evaluation revenue.** Makes the sites of a charter school not receiving Q-Comp funding eligible for fiscal year 2015 teacher development and evaluation revenue.

Makes this section effective for fiscal year 2015.

- 63 Teacher licensure agreements with adjoining states.** Directs the Board of Teaching to report to the legislature by February 15, 2016, on the number of agreements, the participating states, and the content of the agreements entered into between August 1 and December 31, 2015, to grant full licensure to qualified out-of-state teaching candidates.

Makes this section effective immediately.

- 64 Transfer curriculum report.** Directs the MnSCU chancellor to prepare and submit to the K-12 and higher education committees of the legislature by February 1, 2016, a report on implementing the transfer curriculum policy for PSEO students and how to standardize Advanced Placement, International Baccalaureate, and CLEP course equivalencies across all state colleges and universities.

Makes this section effective immediately.

- 65 Integration levy adjustment.** Declares that for fiscal year 2016 only, a district's achievement and integration levy recognized entirely in the previous year equals 30 percent of its achievement and integration revenue for fiscal year 2016.

- 66 Appropriations.** Makes general fund appropriations to the education department in the designated fiscal years. See the House Fiscal Analysis worksheet for details:
<http://www.house.leg.state.mn.us/fiscal/files/k1215app.pdf>

- 67 Repealer.** Repeals the statutory unrequested leave of absence plan for teachers generally.

Makes this section effective for the 2017-2018 school year and later.

Article 3: Standards and Assessments

- 1 Graduation requirements.** Requires high school students enrolled in grade 8 in the 2014-2015 school year and later to demonstrate their understanding of required academic standards on state-developed reading, writing and math tests instead of a nationally normed college entrance exam as a condition of graduating from high school.

Makes this section apply to students entering grade 9 in the 2015-2016 school year.

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- 2** **Revisions and reviews required.** Postpones until the 2020-2021 school year the education commissioner's statutorily prescribed review and revision of the state's math standards.
Makes this section immediately effective.
- 3** **Elective standards.** Directs school districts to use the world language standards developed by the American Council on the Teaching of Foreign Languages when offering world language electives.
- 4** **Credit equivalencies.** (b) Allows an agriculture science or career and technical education credit to fulfill an elective science credit if the credit meets state physical science, life science, earth and space science, chemistry, or physics academic standards or a combination of the standards approved by the school district. Allows an agriculture science or career and technical education credit to fulfill a chemistry or physics credit if the credit meets state chemistry or physics academic credits approved by the school district.

(e) Allows a computer science credit to fulfill a math credit required for high school graduation if the computer science course meets the state's academic standards in math.
Makes this section effective for the 2015-2016 school year and later.
- 5** **Performance measures.** Includes students' performance on the high school reading, writing, and math Minnesota Comprehensive Assessments (MCAs) indicating postsecondary readiness as a measure to help determine school district and school site progress in creating the world's best workforce.
- 6** **Planning for students' successful transition to postsecondary education and employment; personal learning plans.** Strikes a cross reference to the statutory section allowing school districts and charter schools to participate in the Educational Planning and Assessment System (EPAS) program offered by ACT.
- 7** **Statewide testing.** (a) Requires the education commissioner to annually administer computer-adaptive reading and math assessments aligned with state academic standards to all students in grades 3 through 8 instead of through grade 7. Allows students enrolled in grade 8 through the 2009-2010 school year and students enrolled in grade 8 in the 2010-2011 or 2011-2012 school year to take the high school Minnesota Comprehensive Assessments (MCAs) in reading, writing, and math as an alternate assessment in order to graduate from high school. Allows students enrolled in grade 8 in the 2012-2013 or 2013-2014 school year to take the ACT assessment for college admission or the high school Minnesota Comprehensive Assessments (MCAs) in reading, writing, and math in order to graduate from high school.

(c) Requires students enrolled in grade 8 in the 2014-2015 school year and later to take the high school Minnesota Comprehensive Assessments (MCAs) in reading, writing, and math as an alternate assessment in order to graduate from high school.

(d) Strikes language directing the education commissioner to contract for a series of assessments aligned with state academic standards that include college and career readiness benchmarks. Strikes language requiring grade 8 and 10 statewide math, reading, and writing assessments be predictive of a nationally normed assessment for career and college readiness.

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(e) Encourages students to participate in a nationally recognized college entrance exam. Requires a district to pay, one-time, the cost for an interested student in grade 11 or 12 who is eligible for a meal benefit to take a nationally recognized college entrance exam. Strikes language requiring that the statewide series of assessments include a college placement diagnostic exam and contain career exploration elements.

(g) Strikes language requiring school districts and schools annually to use the career exploration elements in the statewide assessments to help students and their families explore and plan for postsecondary education or careers based on students' interests, aptitudes, and aspirations. Strikes language requiring students in grade 10 or 11 who are not yet academically ready for a career or college based on their growth in academic achievement between grades 8 and 10 to take a college placement diagnostic exam before taking the college entrance exam so students, their families, the school, and the district can use the exam results for targeted instruction, intervention, or remediation sufficient for the student to graduate and have a reasonable chance to succeed in a career or college without remediation.

(i) Strikes language directing the education commissioner to determine the alignment between statewide assessments and state academic standards and, where alignment exists, to seek federal approval to replace federally required assessments with the statewide assessments being stricken in this section.

(j) Directs the education commissioner, in consultation with the MnSCU chancellor, to identify the minimum score guidelines on the high school Minnesota Comprehensive Assessments (MCAs) in reading, writing, and math that demonstrate readiness for a certificate level program or a two-year or four-year college program.

(m), (n), (o) Require the education commissioner to annually administer computer-adaptive reading and math assessments aligned with state academic standards to all students in grades 3 through 8 instead of through grade 7.

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

- 8 Statewide and local assessments; results.** Makes conforming changes to reflect other changes to the statewide testing system related to administering computer-adaptive reading and math assessments aligned with state academic standards to all students in grades 3 through 8 instead of through grade 7 and the high school Minnesota Comprehensive Assessments (MCAs) in reading, writing, and math.

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

- 9 Appropriations.** Makes general fund appropriations to the education department in the designated fiscal years. See the House Fiscal Analysis worksheet for details:
<http://www.house.leg.state.mn.us/fiscal/files/k1215app.pdf>

- 10 Repealer.** Repeals Minnesota Statutes 2014, section 120B.128, governing the educational planning and assessment system (EPAS) program offered by ACT.

Article 4: Charter Schools

- 1 Nonresident charter school pupil transportation.** Requires a school district that is providing pupil transportation services on behalf of a charter school to allow a nonresident pupil attending the charter school to ride the bus from any scheduled stop to any other

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scheduled stop on the district's school bus. Allows the school district to charge a fee for this transportation service not to exceed the lesser of 15 cents per mile or the actual costs of transportation per mile transported.

Makes this section effective for July 1, 2015.

2 **Purposes.** Reletters the paragraphs in Minnesota Statutes, section 124D.10, subdivision 1, to prepare for the renumbering instruction in section 11.

3 **Authorizer.** Reletters the paragraphs in Minnesota Statutes, section 124D.10, subdivision 3, to prepare for the renumbering instruction in section 11.

(g) Requires a charter school authorizer that intends to withdraw as an authorizer for reasons unrelated to the statutory causes for nonrenewal or termination of a charter school contract, to provide written notice to all its charter schools and the commissioner by July 15 of its intent to withdraw on June 30 in the next calendar year, regardless of when the authorizer's five-year term of approval ends.

4 **Formation of school.** Reletters the paragraphs in Minnesota Statutes, section 124D.10, subdivision 4, and makes grammatical changes to prepare for the renumbering instruction in section 11. Removes duplicate language about the composition of charter school boards.

(g) Requires an authorizer to file an affidavit to charter a new school at least 14 months before July 1 of the year in which the new charter school plans to begin to serve students. Prevents the hours a student is enrolled in a fee-based prekindergarten program from generating pupil units or being used to calculate general education revenue.

5 **Federal, state, and local requirements.** Reletters the paragraphs in Minnesota Statutes, section 124D.10, subdivision 8, and makes grammatical changes to prepare for the renumbering instruction in section 11.

(g) Allows a charter school to offer a fee-based preschool or prekindergarten program.

(h) Prohibits charter schools from charging tuition except for fee-based preschool or prekindergarten programs. Allows charter schools where at least 90 percent of enrolled students have a primary disability of deaf or hard-of-hearing to also enroll prekindergarten students with a disability.

6 **Admission requirements.** (c) Allows a charter school offering a free preschool or prekindergarten program to give enrollment preference to those children enrolled in the free preschool or prekindergarten program who are eligible to enroll in kindergarten in the next school year.

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

7 **Pupils with a disability.** Requires a charter school to comply with the statutory section governing approval and payment of special education programs and costs for educating pupils with a disability as though the charter school were a school district. Requires charter schools enrolling prekindergarten deaf and hard-of-hearing children to comply with the requirements of the interagency early childhood intervention system.

Makes this section effective for fiscal year 2016 and later.

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- 8** **Annual public reports.** Allows a charter school to combine its required annual report on school enrollment, student attrition, governance and management, staffing and finances, academic performance, innovative practices and implementation, and future plans with the required World's Best Work Force report.
- 9** **Pupil transportation.** Requires a school district to provide transportation to nonresident charter school pupils according to the provisions of section 1 of this article.
- 10** **Causes for nonrenewal or termination of charter school contract.** (e) Allows a charter school authorizer to terminate an existing charter school contract at the end of the current school year after notifying the charter school board of directors by December 1 if in the previous three consecutive school years the performance of the charter school based on federal school accountability measures and state measures of student performance and growth would place the school in the bottom 10 percent of all public schools as determined by the education commissioner. Requires a charter school to be closed according to the applicable law and the charter school contract if the authorizer terminates the contract under this paragraph. Directs the authorizer to work with the charter school board of directors to make parents of currently enrolled children aware of school choice options and to assist families in choosing an appropriate school for the next school year. Requires an authorizer that does not terminate a contract under the conditions of this paragraph to submit public, written justification to the commissioner by December 1. Declares the federal and state measures under this paragraph do not preclude an authorizer from closing a school for other conditions.
- 11** **Merger.** (a) Allows charter schools to merge under the statutory chapter governing nonprofit corporations. Requires a merger to be effective on July 1. Requires the merged school to continue under the identity of one of the schools participating in the merger. Requires a new charter school contract to be executed by July 1. Requires the authorizer of the newly merged school to submit a new signed charter school contract to the commissioner within 10 business days of executing the contract.
- (b) Requires each school participating in the merger to submit a separate year-end report for the previous school year for that school only. Transfers the fund balances and debts of the schools participating in the merger to the newly merged school after the final fiscal year of the schools participating in the merger is closed out.
- (c) For the first year of operation, makes the merged school eligible to receive aid from programs requiring approved applications equal to the sum of the aid of all the merging schools. For aids based on prior year data, makes the merged school eligible to receive aid for its first year of operation based on the combined data of all the schools participating in the merger.
- 12** **Payment of aids to charter schools.** Reletters paragraphs in Minnesota Statutes, section 124D.11, subdivision 9, to prepare for the renumbering instruction in section 11. Removes an obsolete provision regarding charter school start up aid.
- 13** **Revisor instruction.** Directs the revisor of statutes to renumber the listed statutory references and create a new chapter 124E on charter schools.

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- 14** **Appropriation.** Makes general fund appropriations to the education department in the designated fiscal years. See the House Fiscal Analysis worksheet for details:
<http://www.house.leg.state.mn.us/fiscal/files/k1215app.pdf>

Article 5: Special Education

- 1** **Requirements for American sign language/English interpreters.** Replaces the director of the Minnesota Resource Center Serving Deaf and Hard-of-Hearing with a K-12 deaf and hard of hearing state specialist on the committee charged with developing a plan and time line for persons holding a provisional certificate to provide American sign language/English interpreting or sign transliterating services who seek a one-time limited extension of their provisional certificate.
- 2** **Oral or cued speech transliterators.** Replaces the director of the Minnesota Resource Center Serving Deaf and Hard-of-Hearing with a K-12 deaf and hard of hearing state specialist on the committee charged with developing a plan and time line for persons holding a provisional certificate to provide oral transliterating or cued speech transliterating services who seek a one-time limited extension of their provisional certificate.
- 3** **Providing transportation.** Clarifies a school board’s responsibility to provide transportation for a child with a disability not yet enrolled in kindergarten in order to provide the child special instruction and services. Clarifies that transportation is required for special instruction for a child placed in an early childhood program to address the child’s level of functioning and needs.
- 4** **Definitions; dyslexia.** Defines “dyslexia” as a specific learning disability with characteristic difficulties and identified consequences. Requires students who have a diagnosis of dyslexia to meet state and federal eligibility criteria in order to qualify for special education services.
- 5** **Definitions.** Amends the definition of “interagency intervention service system” to include additional appropriate services local agencies and counties provide based, in part, on a request from a school board or county board, instead of the interagency early intervention committee.
- 6** **State interagency committee.** (c) Directs the state interagency committee to consult with the state special education advisory panel and the governor’s interagency coordinating council in assisting school boards and county boards, instead of the interagency early intervention committee.
- 7** **Local agency coordination responsibilities.** Reorganizes the statute outlining local agency coordination responsibilities. Reassigns the responsibilities and duties of the interagency early intervention committee to the member school boards and county boards.
- 8** **Individualized education programs.** (c) Directs school boards to ensure that: the paraprofessionals they hire partly to provide direct support to students with disabilities have sufficient knowledge and skills to begin meeting the disability-specific and behavioral needs of the students they work with; and training is provided to enable the paraprofessionals to understand how each student’s unique and individual needs and disability affect the student’s education and behavior.

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- 9 Student information systems; transferring records.** Requires school districts using an online care management reporting system to contract only with a vendor employing a universal filing system that is compatible with the state system for online compliance reporting. Allows school districts using an online case management reporting system to contract only with a student information system vendor that employs a universal filing system to facilitate the seamless transfer of student due process records for a student with disabilities who transfers between school districts, regardless of what filing system any one district uses.
- Makes this section effective immediately and applicable to all district contracts with a student information system vendor entered into or modified after that date.
- 10 Online reporting of required data.** Allows rather than requires districts to use the state online system for compliance reporting. Allows districts to contract with an outside vendor employing a compatible universal filing system as an alternative to using the state online system.
- 11 Physical holding or seclusion.** Allows rather than requires stakeholders to recommend implementation and outcome goals to the education commissioner.
- Makes this section immediately effective.
- 12 Third-party payment.** Clarifies that school district obligations to pay or reimburse copayments, coinsurance deductibles, and other enrollee cost-sharing amounts apply to individualized family service plans as well as individual education plans. Clarifies that the notification requirements are the same for students with individualized family services plans as they are for students with individual education plans.
- 13 State interagency coordinating council.** Requires the state interagency coordinating council to submit recommendations to the governor and various commissioners for a comprehensive and coordinated system of services within 30 days of receiving the federal government's determination on the Minnesota Part C Annual Report.
- 14 Programs.** (a) Clarifies that the education department (instead of the resource centers) is responsible for offering training programs for deaf or hard-of-hearing, blind or visually impaired, or multiply disabled pupils and workshops for teachers. (The resource centers were folded into MDE a number of years ago.)
- (b) Requires the programs to help support local programs.
- 15 Programs by nonprofits.** Clarifies that the Department of Education (and not the formerly constituted resource centers) is to contract with nonprofit organizations to provide training and workshop programs.
- 16 Advisory committees.** Directs the commissioner to establish advisory committees for the deaf and hard-of-hearing and for the visually impaired instead of an advisory committee for each resource center. Makes technical and conforming changes.
- 17 Statewide hearing loss early education intervention coordinator.** Directs the statewide hearing loss early education intervention coordinator to collaborate with the deaf and hard of hearing state specialist. Makes a technical change affecting the advisory council for the deaf and hard-of-hearing.

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- 18 Definitions; special education.** Clarifies that school districts, charter schools, and cooperative units are all eligible for direct payments of special education aid.
- 19 Special education aid.** Clarifies that special education revenue for a charter school or cooperative unit that is in its first year of service is based on current year data.
- 20 Special education evaluation.**
- Subd. 1. Special education teachers' compliance with federal requirements.** Directs the education department to identify ways to help special education teachers make informed decisions about effectively complying with legal requirements related to providing special education and related services. Directs the department to work collaboratively with school and district staff and representatives of affected organizations to identify obstacles to and solutions for complying with special education laws. Directs the department to work with schools and districts to provide staff development training to comply with special education law and meet the educational needs and improve the educational progress of students with disabilities.
- Subd. 2. Efficiencies to reduce paperwork.** Directs the education department, in collaboration with special education teachers and administrators in schools and districts to identify strategies to reduce the time spent completing paperwork, evaluate whether the strategies are cost effective, and determine whether other districts and schools can also use these strategies. Directs the department to disseminate successful strategies to other districts and schools.
- Subd. 3. Special education forms; reading level.** Directs the department to determine the reading level of its special education forms and whether alternative forms are needed to accommodate form users and readers. Directs the department to work with stakeholders and experts in making the determination.
- 21 Appropriations.** Appropriates money for special education programs. See the House Fiscal Analysis worksheet for details: <http://www.house.leg.state.mn.us/fiscal/files/k1215app.pdf>
- 22 Repealer.** Repeals Minnesota Statutes 2014, section 125A.63, subdivision 1 – obsolete language transferring the resource center duties to the Department of Education.

Article 6: Facilities and Technology

- 1 Alternative facilities appropriation.** Lowers the alternative facilities aid amount for districts qualifying for aid by \$9,000,000 beginning in fiscal year 2017.
- 2 Alternative facilities aid.** Lowers the alternative facilities aid entitlement by \$9,000,000 beginning in fiscal year 2017.
- 3 E-rates.** Eliminates the requirement for a school district, charter school, or intermediate school district to file a technology plan with the Department of Education for purposes of claiming e-rate revenue.
- 4 FAIR school downtown transition.**
- Subd. 1. Student enrollment.** Allows any student who is currently enrolled at the FAIR school downtown or who will be enrolled at the FAIR school downtown during the 2015-16 school year to continue attending that school through the 2018-19 school year.

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Allows other students who wish to attend the FAIR school downtown to apply through open enrollment.

Subd. 2. Compensatory revenue; literacy aid; and Qcomp revenue. Specifies the base year funding characteristics so that the department of education can calculate compensatory revenue, literacy aid, and Qcomp revenue for the FAIR school downtown during the transition year.

Subd. 3. Pupil transportation. Authorizes the Minneapolis school district to provide transportation services for the students attending the FAIR school downtown and provides that the transportation costs are reimbursed under the interdistrict desegregation transportation aid formula.

5 **Fair school Crystal transition.**

Subd. 1. Student enrollment. Allows any student who is currently enrolled at the FAIR school Crystal or who will be enrolled at the FAIR school Crystal during the 2015-16 school year to continue attending that school through the 2019-20 school year. Allows other students to who wish to attend the FAIR school Crystal to apply through open enrollment.

Subd. 2. Compensatory revenue; literacy aid; and Qcomp revenue. Specifies the base year funding so that the department of education can calculate compensatory revenue, literacy aid, and Qcomp revenue for the FAIR school downtown during the transition year.

Subd. 3. Pupil transportation. Authorizes the Robbinsdale school district to provide transportation services for the students attending the FAIR school Crystal and provides that the transportation costs are reimbursed under the interdistrict desegregation transportation aid formula.

6 **Appropriations.** Appropriates money for facilities and technology. See the House Fiscal Analysis worksheet for details: <http://www.house.leg.state.mn.us/fiscal/files/k1215app.pdf>

Article 7: Nutrition and Accounting

1 **Expenditure data.** (b) Requires the education department to submit expenditure data revisions to the commissioner of the department of management and budget at least three weeks before the November forecast is released, and requires the commissioner of the department of management and budget to make E-12 expenditure data available to legislative fiscal staff at least two weeks before the November forecast is released. Current law requires three weeks' notice to legislative staff.

2 **Distribution of assets and liabilities.** (c) If a dispute arises as a result of a district withdrawing from a cooperative unit and the dispute requires the commissioner to involve an administrative law judge, requires the fees due to the Office of Administrative Hearings to be equally split between the district and the cooperative unit (fees are currently paid by MDE).
Makes this section effective immediately.

3 **Statement for comparison and correction.** (a) Changes from November 30 to November 15 the date by which school districts annually must provide the commissioner with audited financial data for the preceding fiscal year. Changes from December 31 to December 15 the

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date by which school districts must submit an audited financial statement to the commissioner and the state auditor.

(b) Changes from February 15 to February 1 the date by which the commissioner must convert the audited financial data under paragraph (a) into the required consolidated financial statement format and publish the information.

- 4 **Litigation costs; annual report.** Changes from January 15 to February 1 the date by which the commissioner must annually report to the legislature on school district special education litigation costs.
- 5 **Survey of districts.** Changes from January 15 to February 1 the date by which the commissioner must report to the legislature in the odd-numbered year on teacher employment matters, including retirements and shortages.
- 6 **Omissions.** Precludes adjusting aid payments due to omissions in school district reports after December 15 instead of December 30 of the next school year.
- 7 **Fund transfer; fiscal year 2014 through fiscal year 2017.** Authorizes a school district to transfer money among accounts and funds (other than the community service or food service fund) if the transfer doesn't change the district's state aid or local levy authority. Continues the prohibition of transfers from the community service fund to another fund but allows transfers among accounts within the community service fund.
- 8 **Appropriations.** Appropriates money for nutrition and accounting. See the House Fiscal Analysis worksheet for details: <http://www.house.leg.state.mn.us/fiscal/files/k1215app.pdf>

Article 8: Libraries

- 1 **Eligibility.** Authorizes a regional public library system to apply for regional library telecommunications aid on behalf of itself and its member districts. Requires the aid to be used for e-rate program category one services before the aid may be used for program category two services.
- 2 **Telecommunications aid; libraries.** Requires regional library systems and their member districts to file e-rate applications either individually or jointly.
- 3 **Award of funds.** Award regional library telecommunications aid based on the actual costs of connections, among other factors, as documented in the library's e-rate funding commitment decision letter.
- 4 **Appropriation.** Appropriates money for libraries. See the House Fiscal Analysis worksheet for details: <http://www.house.leg.state.mn.us/fiscal/files/k1215app.pdf>

Article 9: Early Childhood Education

- 1 **Developmental screening program information.** (b) Allows a Minnesota school district to inform the family of a child who has a Minnesota postal address about Minnesota's developmental screening program.

Makes this section effective for revenue for fiscal year 2016.

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- 2** **Agreements; Tuition Reciprocity with neighboring states.** Allows the commissioner of education to negotiate K-12 tuition reciprocity agreements with other states to allow eligible students to enroll before kindergarten and receive early childhood special educational services.
- Makes this section effective July 1, 2015.
- 3** **Pupil accounting.** Considers a child from another state whose family resides in a home with a Minnesota postal address and who receives early childhood special education services as enrolled in a Minnesota school district.
- Makes this section effective July 1, 2015.
- 4** **Early learning program coordination.**
- Subd. 1. Early learning program coordination.** Allows a school board, after receiving written comments from its early childhood advisory council, to adopt a resolution allowing the district to offer a coordinated early learning program to provide early childhood family education and school readiness services and other early learning programs serving parents and children.
- Subd. 2. Early learning program revenue sources.** Includes in a district's early learning program revenue its early childhood family education revenue, its school readiness program revenue, and other revenues set aside for early learning activities.
- Subd. 3. Reserve account.** Requires a district that offers a coordinated early learning program to place all revenue received under subdivision 2 in an early learning program reserve account established in the community service fund.
- Makes this section effective July 1, 2015.
- 5** **Early childhood family education (ECFE) programs.**
- Subd. 1. Establishment; purpose.** Allows a district that provides a community education program to establish an early childhood education program as an individual program or as part of an early learning program.
- Subd. 4. Home visiting program.** Requires the home visiting program to focus on reaching high needs children as early as possible.
- Subd. 5. Separate accounts.** Requires a district operating an early childhood family education program that is independent of an early learning program to maintain a separate account within the community education fund.
- Subd. 9. District advisory councils.** Directs a district advisory council to assist the school board in developing, planning, and monitoring the early childhood family program education program and the early learning program.
- Makes this section effective July 1, 2015.
- 6** **Early childhood family education (ECFE) revenue.**
- Subd. 1. Revenue.** Makes a district's early childhood family education program revenue equal to the formula allowance for the year times the greater of 150 or the

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number of under age 5 residents in the district on October 1 of the previous school year.

Subd. 5. Uses of revenue restricted. Allows early childhood family education revenue to be used only for early learning programs, including early childhood family education programs.

Subd. 7. Reserve account. Requires early childhood family education revenue to be maintained in either an early learning program reserve account or a separate early childhood family education reserve account within the community service fund.

Makes this section effective July 1, 2015.

7 **School readiness aid.**

Subd. 3. Use of aid. Allows school readiness aid to be used only to provide a school readiness program or an early learning program and to provide transportation.

Subd. 5. Reserve account. Requires school readiness revenue to be maintained in either an early learning program reserve account or a separate school readiness reserve account within the community service fund.

Makes this section effective July 1, 2015.

8 **Early learning scholarships.**

Subd. 1. Establishment; purpose. Establishes an early learning scholarships program in the Office of Early Learning.

Subd. 2. Family eligibility. (b) Makes a parent under age 21 who is pursuing a postsecondary training or education eligible for an early learning scholarship if the parent has a child age 0 to 5 and meets income eligibility guidelines.

(d) Beginning September 1, 2015, to the extent state funds are available, makes any child under age 5 on September 1 of the current school year who has not started kindergarten and is a recipient of an Early Learning Scholarship under the federal Race to the Top – Early Learning Challenge grant eligible to receive the state’s early learning scholarship when the federal grant ends.

(g) Makes a child whose family resides at a Minnesota address assigned by the US Postal Service, who received developmental screening, who intends to enroll in a Minnesota school district, and whose family meets the eligibility criteria eligible for an early learning scholarship.

Subd. 3. Administration. (a) Requires the director of the Office of Early Learning to establish application procedures.

(b) Allows the director to prioritize applications for early learning scholarships based on whether the child is in foster care, experiencing homelessness, is on a waiting list for publicly funded early education or child care services, or has a parent under age 21 pursuing a high school diploma, a GED, or postsecondary training or education.

(c) Requires the director to establish a target scholarship amount not to exceed the statewide general education revenue per pupil in adjusted average daily membership.

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Allows the director to increase by up to 15 percent the scholarship amount for children enrolled in a three-star Parent Aware-rated program and to increase by up to 20 percent the scholarship amount for children enrolled in a four-star Parent Aware-rated program as long as the added increase does not exceed the actual program rate or tuition.

(d) Beginning July 1, 2016, allows licensed child care center or a family child care provider to use its registration process to enroll scholarship recipients. Requires scholarships awarded under this paragraph to be paid to the eligible program provider designated by the award recipient, and to be transferred to another eligible provider at the recipient's request.

(g) Strikes language allowing a school district or Head Start program, for fiscal year 2017 and later, that enrolls scholarship recipients to apply to the education commissioner for direct payment of state aid for those scholarship recipients. For fiscal years 2016 and later, limits the total amount of funding allocated to a program under paragraph (d) to the amount directly awarded to those programs in fiscal year 2015.

(h) Allows county human services agencies working with families eligible for the basic sliding fee child care program to annually notify the families by mail about the eligibility criteria and application process for receiving an early learning scholarship.

Subd. 4. Early childhood program eligibility. (a) To be eligible to accept an early learning scholarship beginning July 1, 2020, requires a program, among other alternatives, to be a program the director determines is eligible based on an evidence-based program evaluation or program review.

(b) Strikes language requiring any program accepting early learning scholarships to use the revenue to supplement and not supplant federal funding.

(c) Declares a provider ineligible to participate in the early learning scholarship program if: the provider has been disqualified from the child care assistance program due to wrongfully obtaining the child care assistance; the program or provider is on the national disqualified list for the Child and Adult Care Food Program; or the program or provider has been convicted in the last seven years of an activity indicating a lack of business integrity.

Subd. 4a. Record keeping requirements. Requires an early learning scholarship program provider to maintain and make available upon request attendance records and records of charges and payments for all participating children, including payments from nonprogram sources.

Subd. 6. Use of funds. (a) Requires scholarships to be used to supplement and not supplant federal funding.

(b) Requires scholarships to be used in a program the child attends consistently in order to ensure the child's access to the program's general curriculum.

Makes this section effective for fiscal year 2016 and later.

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- 9** **Special instruction for children with a disability.** Authorizes a Minnesota school board that participates in the K-12 tuition reciprocity program to enroll and provide special instruction and services to a child from an adjoining state whose family resides at a Minnesota postal address. Requires these children to participate in Minnesota’s developmental screening program and to undergo special education child identification procedures.
- 10** **Appropriations.** Appropriates general fund sums to the education department for the designated fiscal years. See the House Fiscal Analysis worksheet for details: <http://www.house.leg.state.mn.us/fiscal/files/k1215app.pdf>

Article 10: Prevention

- 1** **Appropriation.** Appropriates money for prevention. See the House Fiscal Analysis worksheet for details: <http://www.house.leg.state.mn.us/fiscal/files/k1215app.pdf>

Article 11: Self-Sufficiency and Lifelong Learning

- 1** **State total adult basic education aid.** Reduces the growth factor for the adult basic education program from 3 percent to 0.5 percent for fiscal years 2016 and later.
- 2** **Basic population aid.** Includes community-based providers, for whom no district characteristics exist, in the distribution of basic population aid. Sets the basic population aid for these programs at \$1.73 per participant.
- 3** **ABE program revenue.** Includes community-based providers without district characteristics in the revenue calculations for English learner and “no diploma” revenue. Sets the aid amounts equal to the statewide average amount of revenue for each calculation.
- 4** **Appropriation.** Appropriates general fund sums to the Department of Education for adult basic education aid and for the costs of GED tests. See the House Fiscal Analysis worksheet for details: <http://www.house.leg.state.mn.us/fiscal/files/k1215app.pdf>

Article 12: State Agencies

- 1** **School crisis response teams.** Requires the commissioner of education to collect, maintain and make available to school districts contact information for school crisis response teams. Requires the commissioner of education to work cooperatively with the Minnesota School Safety Center to facilitate the development of school crisis response teams in regions of the state where an existing crisis response team has not yet been formed.
- 2** **Fee.** Directs the executive secretary of the Board of School Administrators to deposit the annual fees paid to the board by licensed school administrators into the educator licensure account in the special revenue fund in the state treasury instead of the state general fund.
- 3** **Temporary military license.** Requires the Board of Teaching to deposit the fees paid for a temporary military license into the educator licensure account in the special revenue fund instead of the state general fund.
- 4** **Background checks.** (a) Requires fees paid for the Bureau of Criminal Apprehension to conduct background checks on applicants for an educator license to be deposited in the education licensure account in the special revenue fund instead of the state general fund.

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5 Special revenue fund accounts; educator licensure and background checks.

Subd. 1. Educator licensure account. Creates an educator licensure account in the special revenue fund. Requires the Board of Teaching, the Board of School Administrators, and the Department of Education to deposit into the educator licensure account the fees received from licensure applicants. Cancels any unexpended funds appropriated from this account back to this account.

Subd. 2. Background check account. Creates an educator licensure background check account in the special revenue fund. Requires the Board of Teaching, the Board of School Administrators, and the Department of Education to deposit into the educator licensure background check account the payments received from licensure applicants for background check costs. Appropriates the amounts in the account to the education commissioner to pay the superintendent of the Bureau of Criminal Apprehension for the costs of background checks on licensure applicants.

6 Licensure applicants. Requires the licensing fees paid by teachers and supervisory personnel into the licensing boards to be deposited into the educator licensure account in the special revenue fund.

7 Licensure via portfolio. Makes a conforming change.

8 Transfers.

Subd. 1. Portfolio account. Directs the commissioner of management and budget, on July 1, 2015, to transfer any balances in the educator licensure portfolio account in the special revenue fund to the educator licensure account in the special revenue fund.

Subd. 2. Background check. Transfers the balance in accounts holding fees paid for background checks of applicants for an educator license to the educator licensure account in the special revenue fund. Transfers \$80,000 on July 2, 2015, from the educator licensure background check account in the special revenue fund to the educator licensure account in the special revenue fund.

9 Appropriations; Department of Education. Appropriates general fund money and special revenue fund money to the Department of Education. See the House Fiscal Analysis worksheet for details: <http://www.house.leg.state.mn.us/fiscal/files/k1215app.pdf>

10 Appropriations; Board of Teaching. Appropriates money for the Board of Teaching from the educator licensure account in the special revenue fund. See the House Fiscal Analysis worksheet for details: <http://www.house.leg.state.mn.us/fiscal/files/k1215app.pdf>

11 Appropriations; Board of School Administrators. Appropriates money for the Board of School Administrators from the educator licensure account in the special revenue fund. See the House Fiscal Analysis worksheet for details: <http://www.house.leg.state.mn.us/fiscal/files/k1215app.pdf>

12 Appropriations; Minnesota State Academies. Appropriates money for the Minnesota State Academies. See the House Fiscal Analysis worksheet for details: <http://www.house.leg.state.mn.us/fiscal/files/k1215app.pdf>

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13 Appropriations; Perpich Center for Arts Education. Appropriates money for the Perpich Center for Arts Academy. See the House Fiscal Analysis worksheet for details:
<http://www.house.leg.state.mn.us/fiscal/files/k1215app.pdf>

Article 13: Forecast Adjustments

Overview

Adjusts the fiscal year 2015 appropriations to match the expected expenditures for each program.