

# HOUSE RESEARCH

## Bill Summary

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### Proposed House Omnibus K-12 Bill

#### Article 1: General Education

#### Overview

This article modifies general education provisions, modifies the starting date of the Glenville-Emmons school district operating referendum, and authorizes the Moorhead and Dilworth-Glyndon-Felton school districts to adjust their shared school district boundaries.

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- 1 **Cooperative unit defined.** Explicitly adds special education cooperatives to the types of joint governance units that are considered “cooperative units” for purposes of the school code.
- 2 **General education revenue.** Allows a school board to adopt a resolution to reallocate any of its general education revenue according to the plan specified in the resolution.
- 3 **Operating capital levy.** Increases the operating capital-equalizing factor for fiscal years 2018 and later to provide additional operating capital aid.
- 4 **Equity revenue.** Extends the 25 percent increase in equity revenue to all school districts in the state (this increase is currently available only to school districts with their administrative offices located in the metro area).

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- 5 Use of revenue; compensatory.** Adds two new purposes to the list of eligible uses of compensatory revenue: recruitment and new teacher development activities through a teacher induction or mentorship program (sometimes referred to as a “grow your own” program); and hiring bonuses or other added compensation for highly effective teachers who work in hard-to-fill or hard-to-staff positions.
- 6 Building allocation; compensatory revenue.** Grants a school board authority to adopt a plan to determine how to allocate all of its compensatory revenue among school sites (under current law, the board may adopt a plan to allocate up to 50 percent of its compensatory revenue and the remaining 50 percent must be allocated to the school site where the compensatory revenue was earned).
- 7 Recommendation.** Clarifies that the school site decision team recommends to the school board how compensatory revenue should be spent at that school site.
- 8 Statewide average revenue.** Grants the Minnesota Department of Education another two months to prepare the annual report that measures the disparity in adjusted general revenue among school districts by changing the date the report must be prepared from October 1 to December 1 (this delay allows the MDE to use more current data). Delays the date for the commissioner of education to make recommendations based on the results of the report from January 15 to February 1. Clarifies that the definition of adjusted general revenue includes local optional revenue.
- 9 Fund or account transfer.** Makes the current time-limited law that authorizes certain fund and account transfers ongoing and permanent (the current session law limits the transfers to fiscal years 2014 through 2017).
- 10 Appropriation; general education aid.** Adjusts general education aid for forecast changes, increases the appropriation for the add equity aid, and adds funding for the Glenville-Emmons referendum adjustment.
- 11 Voluntary boundary alignment; Moorhead and Dilworth-Glyndon-Felton school districts.**
- Subd. 1. Boundary realignment allowed.** Specifically authorizes the school boards of Independent School District Nos. 152, Moorhead, and 2164, Dilworth-Glyndon-Felton (DGF) to align their shared district border.
- Subd. 2. Plan to establish new boundaries.** Allows the Moorhead and DGF school boards to jointly adopt a written plan to realign their school district boundaries. Requires the plan to identify each group of parcels that will be transferred between the districts and specifies the method for transferring the blocks of parcels between the districts. Requires the plan to be filed with both the county auditor and the commissioner of education. Requires the districts to publish the plan in enough detail to describe each of the blocks of parcels to be transferred. Requires the same notice to be mailed to each property owner affected by the border realignment.
- Subd. 3. Bonded debt.** Requires each parcel to pay the property taxes, including the facilities levies, of the district to which the parcel is attached for that year.
- Subd. 4. County auditor notified.** Requires the districts to annually notify the county auditor of any movement of parcels during that year in the form and manner

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specified by the county auditor. Requires the county auditor to notify affected parcel owners of the boundary change in the year that the change occurs.

**Subd. 5. Report to Department of Education.** Requires the school boards to file a copy of the plan with the Minnesota Department of Education (MDE). Requires the districts to report any other information necessary for MDE to calculate school aids and levies for the two school districts.

**Effective date:** Makes this section effective upon the parties meeting the requirements of a local approval clause, meaning the school boards will need to approve the law and file the appropriate certified documents with the secretary of state before the act is effective.

- 12 **Glenville-Emmons school district.** Corrects a mistaken date on the ballot authorizing the Glenville-Emmons school district operating referendum (the ballot stated the referendum was first effective for taxes payable in 2017 instead of fiscal year 2017).
- 13 **Equity revenue in fiscal year 2017.** Makes the equity revenue increase authorized in section 4 payable entirely in state aid for fiscal year 2017 only.
- 14 **Revisor's instruction.** Requires the revisor of statutes to codify section 2 in a place consistent with other statutory restrictions on school district funds and accounts.

**Article 2: Education Excellence**

**Overview**

This article proposes and funds various education policy changes and initiatives to improve teaching and learning and makes technical changes.

- 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 help develop school crisis response teams in regions of the state where an existing crisis response team has not yet been formed.
- 2 **Legitimate exemptions.** Allows school districts to excuse students from participating in a physical education class.  
Makes this section effective immediately.
- 3 **Conduct of school on certain holidays.** (b) Allows districts to honor Constitution Day and Citizenship Day by providing opportunities for students to learn about American government, law, history, and geography by, among other activities, answering the same test questions that applicants for naturalization must answer.
- 4 **Required academic standards.** (c) Directs the education department to adopt, review, and revise nationally recognized prekindergarten through grade 12 physical education standards

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and benchmarks as Minnesota's required physical education academic standards. Allows the department to modify and adapt the standards and benchmarks. Directs the department to post samples of existing assessments for school districts to use to assess students' mastery of the physical education standards beginning in the 2021-2022 school year.

- 5 Rulemaking.** Directs the education commissioner to adopt statewide rules for implementing physical education standards.
- 6 Revisions and reviews required.** (g) Directs the education commissioner to implement a review of physical education standards and related benchmarks beginning in the 2020-2021 school year and every ten years thereafter.
- 7 Performance measures.** Strikes student performance on NAEP as a world's best work force measure of district and school progress.
- 8 Adopting plans and budgets.** Requires a world's best work force plan to include a process to: assess and identify students to participate in gifted and talented programs and accelerate their instruction, and to adopt early admission procedures under Minnesota's gifted and talented program; and examine the equitable distribution of teachers and strategies to ensure low-income and minority children are not taught by inexperienced, ineffective, or out-of-field teachers.
- 9 Report.** Consistent with school performance reports and the world's best work force, directs local school boards to examine the equitable distribution of effective, experienced, and in-field teachers.
- 10 Gifted and talented students program.** Requires school districts to adopt guidelines and procedures for students, including early learners, to participate in Minnesota's gifted and talented program, consistent with the district's world's best work force plan for assessing and evaluating student progress.
- 11 Statewide testing.** (e) Directs districts to pay one time for a student in grade 11 or 12 to take a nationally recognized college entrance exam to the extent state funding is available for this purpose. Strikes language allowing a student to take the exam at the student's high school.
- (m) Requires the MnSCU chancellor to review and confirm the career and college readiness benchmarks established by the commissioner of education show students are able to successfully complete credit-bearing coursework at a MnSCU institution.
- Makes this section effective for the 2016-2017 school year.
- 12 Student performance data.** Directs the education commissioner to use student categories under the federal Elementary and Secondary Education Act and other student categories when organizing and reporting demographic data on students to policy makers.
- 13 Student academic achievement and growth.**
- Subd. 1. Student indicators of growth.** Strikes obsolete references to the No Child Left Behind Act and substitutes a reference to federal expectations.
- Subd. 2. Federal expectations for student academic achievement.** (a) Strikes an obsolete reference to adequate yearly progress under the No Child Left Behind Act.

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(d) Directs the education commissioner to post aggregated and disaggregated student growth, learning, and outcome data.

**Subd. 3. State growth target; other state measures.** Strikes obsolete references to student categories identified under the No Child Left Behind Act and substitutes references to student categories identified under the federal Elementary and Secondary Education Act. Adds student categories based on race, ethnicity, language proficiency, disabilities, poverty, migrant, immigrant, and homeless status, and enrollment in foster care for purposes of state accountability reports on course completion, rigorous course taking, and student engagement and connection. Requires the commissioner to include data on all enrolled pupils who are or were counted as English learners.

**Subd. 4. Improving schools.** Strikes an obsolete reference to student growth measures and substitutes a reference to high performing schools identified under federal education law.

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

**14 School accountability.** Strikes adequate yearly progress and student performance references made obsolete by the reauthorized federal Elementary and Secondary Education Act and substitutes references to federal expectations. Classifies the world's best workforce data gathered by the department as nonpublic data until it is publicly released.

**15 Report to commissioner of education.**

**Subd. 1. Exclusions and expulsions; physical assaults.** Directs school boards to submit an electronic report to the education commissioner on incidents involving a student's physical assault of a teacher and to include information on the district's response to the assault.

**Subd. 2. Report.** (a) Requires school boards to include state student identification numbers on affected students when submitting disciplinary reports on students' physical assault of a teacher, among other information.

(b) Directs the education commissioner to aggregate data reported under paragraph (a) and to include the aggregated data in the annual school performance reports.

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

**16 Required policy.** Requires a school board's district-wide school discipline policy to be consistent with a teacher's authority for controlling and managing student behavior in the classroom.

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

**17 Notification; teachers' legitimate educational interest.** (a) Establishes a teacher's legitimate educational interest in knowing which students placed in the teacher's classroom have a history of violent behavior, including any documented physical assault of a district employee by the student.

(b) Directs representatives of a school board and the exclusive representative of the teachers to discuss policies for notifying teachers and other district employees about students with a

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history of violent behavior, including any documented physical assault of a district employee by the student.

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

- 18 Eligibility; board composition.** Clarifies that school administrators need not be a teacher currently teaching in a Minnesota school district to serve on the board of teaching as a representative of school administrators.

Makes this section effective immediately and applicable to all board appointments made after that date.

- 19 Board of teaching; duties and responsibilities clarified.** Declares the board of teaching responsible for licensing teachers, issuing special permissions to teach, and performing all licensure-related duties and responsibilities. At the board's direction, allows the education department to perform administrative functions related to issuing licenses. Causes this section to prevail if a statutory conflicts exist.

Makes this section effective immediately.

- 20 Permissions.** (d) Permits the Board of Teaching to grant a waiver to a qualified person to teach in a Montessori program operated by a district or charter school.

Makes this section effective for the 2016-2017 through 2018-2019 school years.

- 21 Qualified teacher defined.** Strikes obsolete language defining highly qualified teacher under the federal No Child Left Behind Act.

- 22 Qualified teacher.** Strikes obsolete language.

- 23 Exemption for technical education instructors.** Updates and clarifies career and technical education references. Strikes language causing this section to expire.

- 24 Negotiated unrequested leave of absence.** Requires the school board and the exclusive representative of the teachers to negotiate an unrequested leave of absence plan. Strikes language establishing a statutory plan for placing teachers on an unrequested leave of absence and prohibiting a provisionally licensed teacher from exercising seniority under a negotiated leave of absence plan.

Makes this section effective July 1, 2017.

- 25 Negotiated unrequested leave of absence plan.** Requires the school board and the exclusive representative of the teachers in a first class city school district to negotiate an unrequested leave of absence plan.

Makes this section effective July 1, 2017.

- 26 Restructured pay system.** Strikes obsolete language.

- 27 Alternative teacher professional pay system.** As a condition of eligibility for Q-Comp funding, requires interested districts and schools to have a world's best work force plan instead of an educational improvement plan.

- 28 Approval process.** Strikes a statutory cross reference to conform this Q-Comp section with the change in required plans under the preceding section in this article.

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- 29 Supplemental agreements; alternative teacher pay.** Strikes a statutory cross reference to conform this Q-Comp section with the change in required plans under the two preceding sections in this article.
- 30 Alternative teacher compensation revenue for Perpich Center for Arts Education and multidistrict integration collaboratives.** Strikes a statutory cross reference to conform this Q-Comp section with the change in required plans under the three preceding sections in this article.
- 31 General control of schools.** (a) Grants the teacher of record the general control and government of the school and classroom.
- (b) Allows a teacher to remove students from class, consistent with a school board's district-wide school discipline policy.
- Makes this section effective for the 2016-2017 school year and later.
- 32 Staff development report.** Strikes language requiring school districts and school sites to write and submit a staff development activity and expenditure report to the education commissioner. Instead requires school districts and school sites to include the staff development report in the district's world's best work force report. Strikes language requiring the commissioner to submit annual staff development data to the legislature.
- 33 Center functions.** Strikes an obsolete reference to highly qualified teacher under the federal No Child Left Behind Act.
- 34 Full-service community school program.** Strikes a reference to federal reading programs included on a list of programs available under the full-service community school program.
- 35 English learner data.** Requires English learner data reports to include all enrolled public school pupils who are or were counted as an English learner.
- Makes this section effective for the 2017-2018 school year and later.
- 36 Participating school; American Indian school.** Corrects a title reference under federal law.
- 37 Prekindergarten through grade 12 parental rights coded elsewhere.**
- Subd. 1. Scope.** Indicates the sections referred to in subdivisions 2 to 30 of this section are codified elsewhere in Minnesota's education code and govern parent rights on topics related to prekindergarten through grade 12 education.
- Subds. 2 to 30.** List statutory provisions contained in Minnesota's education code establishing parent rights related to their students' kindergarten through grade 12 education.
- 38 Survey of districts.** Directs the education commissioner, when surveying the state's school districts and teacher preparation programs, to submit a biennial report to the legislature on students' access to effective and more diverse teachers who reflect the diversity of district students and how districts are projected to make progress over a five-year period in providing enrolled students throughout the state with improved and equitable access to effective and diverse teachers and substitute teachers.

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- 39 State administration of student survey instruments generally prohibited.** Generally prohibits the commissioner from developing, coordinating, assisting with, or using statewide student surveys to seek information about a student's activities, opinions, behaviors, or experiences on various topics.
- 40 Implementation of Elementary and Secondary Education Act.** Strikes obsolete language related to the federal No Child Left Behind Act. Substitutes a reference to the federal Elementary and Secondary Education Act.
- 41 Governance.** (a) Declares the board of the Perpich Center for Arts Education consists of 13 rather than 15 members and requires at least one school administrator or elected school board member, one professional artist, and one arts educator to serve on the board.
- (b) Requires a seven-member nominating committee composed of three Perpich Center for Arts Education board members, one Minnesota State Arts board member, one Minnesota School Boards Association member, one Minnesota Association of Schools Administrators member, and one member appointed by the governor to meet when a board member's term ends or a vacancy arises to prepare and submit a list of recommended Perpich Center for Arts Education board candidates to the governor.
- (c) Requires Perpich Center for Arts Education board members to complete board training.
- Makes this section effective immediately and directs the governor to determine which board member terms end on the effective date of this section to reduce the number of board members from 15 to 13.
- 42 Public information.**
- Subd. 1. Board minutes.** Requires the board to post minutes of its meeting on its official Web site and other financial management and reporting documents.
- Subd. 2. Annual report.** Requires the board to post an annual financial report and longitudinal data on student enrollment, students' congressional district of residence, high school graduation rates, and post-graduation student placements.
- Subd. 3. World's best workforce.** Directs the board to prepare and post a comprehensive, long-term strategic improvement plan and report plan strategies, activities, practices, and outcomes on its Web site.
- Subd. 4. Audit report.** (a) Subjects the Perpich Center for Arts Education to an annual audit conducted in compliance with generally accepted governmental auditing standards. Allows the legislative auditor or the Minnesota department of education to conduct financial, program, or compliance audits and to direct the Perpich Center for Arts Education to include additional items in its annual independent audit.
- (b) With education department approval, allows the Perpich Center for Arts Education to combine its annual independent audit with the Crosswinds School required annual audit.
- (c) Requires the Perpich Center for Arts Education to post its most recent audit on its Web site.

Makes this section effective immediately.



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- 43**     **ACT college ready score.** Requires MnSCU institutions to post notice of the exemption from remedial course taking for students who received a college-ready ACT score.  
Makes this section effective for the 2016-2017 school year and later.
- 44**     **Minnesota Comprehensive Assessments; career and college-ready benchmarks.** Precludes a state college or university from requiring an individual to take a remedial, noncredit course if the individual met a career and college-ready MCA benchmark in that subject area.  
Makes this section effective for the 2018-2019 school year and later.
- 45**     **Effective date.** Causes current session law establishing national physical education standards as the state standards to remain effective through the 2020-2021 school year when the education commissioner begins to review and revise physical education standards on a ten-year cycle.
- 46**     **Innovative delivery of career and technical education programs and services and sharing of district resources.**

**Subd. 1. Establishment; requirements for participation.** (a) Establishes a program to improve student, career and college readiness, and school outcomes by allowing groups of school districts to form partnerships with postsecondary and community institutions and workplace partners to: provide innovative education programs and activities that integrate core academic and career and technical subjects in students' program of study through coordinated secondary and postsecondary career and technical programs leading to an industry certification or other credential; use performance assessments in authentic settings to measure students' technical skills and progress toward an industry certification or other credential; and efficiently share district, institution, and workplace resources.

(b) Requires participating school districts to receive formal board approval and to develop a plan to provide challenging programs, create professional development opportunities, increase student engagement and connection and challenging learning opportunities for diverse populations of students that are focused on employability skills and technical, job-specific skills related to a specific career pathway, or demonstrate efficiencies in delivering financial and other needed services. Requires the plan to include performance assessments in authentic settings to measure students' technical skills and progress toward an industry certification or other credential, among other measures and plan requirements.

(c) Requires participating districts to submit a biennial report to the legislature by February 1 in each odd-numbered year to show their success in preparing diverse populations of students for careers and jobs.

**Subd. 2. Commissioner's role.** Directs the education commissioner to select qualified applicants and to ensure an equitable distribution of participants to the extent practicable.

Makes this section effective immediately. Allows school districts already approved for an innovation zone pilot project to continue to operate under the existing session laws.

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**47**      **Teacher shortage loan forgiveness.** Increases the teacher loan forgiveness program appropriation in fiscal year 2017 to \$1,200,000. Makes \$200,000 the base appropriation for the program in fiscal year 2018 and later.

**48**      **Alternative compensation.** Updates alternative teacher compensation aid amounts.

**49**      **Reading Corps; appropriation.** Increases the appropriation for the Minnesota Reading Corps to \$7,625,000 in fiscal year 2017 and makes the appropriation available through June 30, 2019. Makes the base appropriation for fiscal year 2018 and later \$5,625,000.

**50**      **Collaborative Urban Educator; appropriation.** Increases the appropriation for the Collaborative Urban Educator (CUE) program from \$780,000 to \$2,780,000 per year for fiscal year 2017 and later. Allows current CUE recipients to receive additional funding in fiscal year 2017 only. Eliminates the designation of recipients from the law and authorizes the commissioner of education to make grants of any amount to qualifying applicants. Requires the commissioner to award at least 50 percent of the grants to nonconventional or alternative teacher preparation programs. Allows the commissioner to give priority to programs training and placing teachers in subject or regional shortage areas. Requires each grant recipient to annually report on the program's effectiveness and provide detailed demographic information on the persons served by the program. Makes the appropriation available through June 30, 2019. Makes \$780,000 the base appropriation for the program in fiscal year 2018 and later.

**51**      **College entrance examination reimbursement.** Refers to a college entrance examination instead of the ACT.

Makes this section applicable to college entrance exams administered after July 1, 2016.

**52**      **Concurrent enrollment teacher training grants.** For fiscal years 2017, 2018, and 2019 only, provides grants to reimburse teachers teaching open enrollment courses for the tuition costs of up to 18 graduate credits. Directs the education commissioner to establish application procedures and deadlines.

Makes this section effective July 1, 2016.

**53**      **Minnesota's future teachers grant program.**

**Subd. 1. Definitions.** (b) Defines "eligible institution" to mean MnSCU, the University of Minnesota, or a private postsecondary institution with a board of teaching-approved teacher preparation program.

(c) Defines "high need area" to mean an area in Minnesota identified by the education commissioner in the biennial teacher supply and demand report or other survey as experiencing a teacher shortage in a subject area or region.

(d) Defines "high needs school" to mean a school designated as low performing under federal accountability measures or enrolling a high percentage of low-income students.

(e) Defines "qualified candidate" to mean an individual enrolled in an eligible, board of teaching-approved teacher preparation program or institution.

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**Subd. 2. Account.** Establishes an account under the control of the commissioner of the Office of Higher Education for financial assistance grants to support qualified candidates interested in becoming teachers. Declares unused funds do not cancel.

**Subd. 3. Program requirements.** (a) Directs the Office of Higher Education commissioner to award grants to eligible institutions for undergraduate and graduate students, beginning in the 2017-2018 academic year, to become licensed teachers. Directs the commissioner to determine maximum grant amounts available to eligible institutions and for administrative and support services.

(b) Directs the commissioner to award grants to eligible institutions that: use most of the grant to reduce students' tuition, fees, and other such costs; encourage underserved students, students of color, and students interested in teaching in a high needs school to participate in the program; provide support services to allow students to complete the program and receive a license; and offer experiential opportunities to explore teaching.

(c) Requires students to demonstrate their intent to teach in a high needs school or area after completing the program.

(d) Requires participating institutions to mentor students.

**54 Grants to student teachers in shortage areas.** Directs the commissioner of the office of higher education to establish a grant program for low-income Minnesota candidates enrolled in a teacher preparation program who are student teaching and, after graduating and receiving a teaching license, are interested in teaching in a subject area or region experiencing a teacher shortage. Directs the office of higher education to establish an application process.

Makes this section effective July 1, 2016.

**55 Legislative study group on education licensure.** (a) Establishes a 12-member legislative study group to review the 2016 OLA report on teacher licensing and to report to the legislature by February 1, 2017, on recommendations for restructuring Minnesota's teacher licensure system.

(b) Includes six currently serving house members, including the chair of the house Education Innovation Policy Committee, three appointed by the house speaker and three appointed by the house minority leader, and six currently serving senate members, including the chair of the senate education committee, three appointed by the senate majority leader and three appointed by the senate minority leader, as study group members.

(c) Requires appointments to be made by June 1, 2016, and causes the appointments to expire on February 2, 2017. Requires the leader of the caucus in the affected body to which a vacating study group member belonged to fill any vacancy that occurs. Directs the chair of the House education innovation policy committee to convene the first meeting. Requires the study group to meet periodically. Directs the Legislative Coordinating Commission to provide technical and administrative assistance upon request.

(d) Directs the study group to consult with the Board of Teaching, the education department, the Board of School Administrators; and interested and affected stakeholders.

(e) Causes the study group to expire on July 2, 2017, unless extended by law.

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Makes this section immediately effective.

- 56 Board of Teaching report.** Directs the Board of Teaching to submit a written report to the legislature by February 1, 2017, listing the statutory and rule requirements on teacher preparation, exams, and training applicable to candidates for teacher licensure and the statutory and rule requirements on continuing education applicable to teachers seeking to renew their full professional teaching license.

Makes this section effective immediately.

- 57 Teacher licensing; process and procedures.** (a) Directs the board of teaching to maintain an online teacher application system that meets the requirements of this paragraph.
- (b) Directs the board of teaching, after consulting with the department of education if appropriate, to notify a candidate in writing when denying the candidate a license or issuing a restricted license. Allows a candidate to appeal a licensure decision of the board.
- (c) Directs the board of teaching to issue a one-year full professional teaching license to otherwise qualified candidates who have not yet successfully completed the licensure exams. Allows the board to renew this license up to three times.

Makes this section effective immediately.

- 58 Data security plan.**

**Subd. 1. Plan components.** Directs the commissioner of education to develop, publish, and oversee a detailed data security plan that combines administrative, physical, and technical safeguards and includes: requirements for accessing K-12 data systems containing personally identifiable information on students, authorizing data and system access for other agencies, authenticating access to such data, protecting student data gathered by an Internet operator that describes or otherwise identifies a student, and sanctions for failing to comply with the guidelines; minimum privacy compliance standards based on reasonable and enforceable security measures and practices; regular privacy and security compliance audits of SLEDS and other data systems; and data retention, storage, disposal, and security policies and protocols.

**Subd. 2. Plan report.** Directs the commissioner to report to the legislature by January 10, 2017, on the department's progress in developing the plan and include cost estimates to further develop and implement the plan.

**Subd. 3. Plan costs.** Directs the education commissioner to use existing department of education resources to develop the data security plan.

**Subd. 4. Plan implementation.** Prohibits the education commissioner from proceeding to implement the data security plan until July 1, 2017.

- 59 Staff development grants for intermediate school districts and other cooperative units.** For fiscal years 2017, 2018, and 2019 only, provides staff development grants to intermediate school districts and other cooperatives equal to \$1,000 times the full-time equivalent number of licensed instructional staff and nonlicensed classroom aides employed by the intermediate or other cooperative in the previous year. Requires the staff development grants to be used for at least: (1) proactive behavior management; (2) personal safety training; (3) de-escalation techniques; and (4) adapting curriculum and pedagogy for students

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with complex learning and behavioral needs. Requires the commissioner to pro-rate the grants if funding for purposes of this section is insufficient.

Makes this section effective for fiscal year 2017 and later.

**60 Student discipline working group.** (a) Creates a student discipline working group to review the substance, application, and effect of Minnesota's Pupil Fair Dismissal Act and related student discipline provisions and to submit written recommendations to the legislature by February 1, 2017, on improving disciplinary policies, practices, and procedures.

(b) Directs the working group to analyze: summary data on students' removal from class and dismissals; disaggregated by various student categories; the meaning and effect of "willful" on dismissal actions; impact of student misconduct on teacher safety; impact of established discipline policies and procedures on teacher safety and student outcomes; students' need for and access to professional support service providers; the impact of school resource officers; management of student disciplinary data; and other related matters.

(c) Directs various specified organizations to appoint a member to the study group by June 21, 2016. Allows working group members to seek advice from experts and stakeholders.

(d) Directs the education commissioner to convene the first working group meeting. Directs the working group to select a chair or cochairs and to meet periodically. Directs the commissioner to provide technical and administrative assistance upon request. Makes the members ineligible to receive expenses or per diem payments for their service.

(e) Causes the working group to expire February 2, 2017.

Makes this section effective immediately.

**61 Northwest regional partnership concurrent enrollment education program.** Creates a continuing education program for concurrent enrollment teachers in Northwestern Minnesota. Requires the program be provided jointly by the Lakes Country Service Cooperative, the Northwest Service Cooperative, and Minnesota State University-Moorhead. Requires MSU-Moorhead to develop an online curriculum to allow teachers to attain graduate credits at reduced credit rates. Grants priority in the program to teachers employed by a district that is a member of either of the two Service Cooperatives. Requires the partnership to submit an annual progress report to the legislature, commissioner of education, and the Board of Trustees of MnSCU.

**62 Grow Your Own teacher residency pilot program.** (a) Establishes a nonconventional teacher residency pilot program in fiscal year 2017 to provide tuition scholarships to help nonlicensed district employees who hold a bachelor's degree and seek an elementary education license to participate in a board of teaching-approved nonconventional teacher residency pilot program.

(b) Allows districts and schools not participating under paragraph (a) to use the funds to help paraprofessionals employed in the district or school complete a teacher preparation program and attain a teaching license.

(c) Directs the commissioners of education and the Office of Higher Education to evaluate the program and by February 1, 2017, submit program recommendations to the legislature, including how to continue and expand the program.

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- 63 Pilot project to help struggling students read at grade level.** (a) Establishes a pilot project in fiscal year 2017 to help struggling students in grades 3 to 5 read at grade level. Directs the education commissioner to award a grant to a nonprofit organization to provide three Minnesota public schools with: a software program that uses singing to improve students' reading ability; on-site professional development and instructional monitoring; pre- and post-program assessments; and other project management services. Requires participating schools to identify staff to work with students in the program.
- (b) Directs the commissioner, in consultation with the nonprofit grant recipient, to select an urban, suburban, and greater Minnesota school district to participate based on: the number of low-income students in grades 3 to 5 whose reading proficiency is below grade level; the interest of the school staff in the pilot project; and the availability of a computer lab.
- (c) Directs with the nonprofit grant recipient to submit a commissioner-reviewed report to the legislature by February 1, 2017, on students' reading gains.
- Makes this section effective July 1, 2016.
- 64 Legislative auditor.** Asks the legislative auditor to perform a financial audit of the Perpich Center for Arts Education in 2016 and every four years thereafter.
- Makes this section effective immediately.
- 65 Statewide school teacher and administrator job board.** Directs the board of teaching to contract for an electronic job board to post job openings for prekindergarten through grade 12 teaching and administrative positions in Minnesota.
- 66 Certification incentive revenue.** Provides funding to school districts to help students earn career and technical certification.
- Makes this section effective immediately.
- 67 Appropriations.** Appropriates money for education excellence programs. See fiscal worksheet for details.
- 68 Appropriation; job board.** Appropriates \$239,000 in fiscal year 2017 from the general fund to the Board of Teaching for an electronic statewide job board. Makes this appropriation available until June 30, 2019.
- 69 Appropriation; future teachers grant program.** Appropriates \$4,500,000 in fiscal year 2017 from the general fund to the commissioner of the office of higher education for the Minnesota future teachers grant program. Makes this appropriation available until June 30, 2019.
- 70 Appropriation; student teachers in shortage areas; grants.** Appropriates \$1,000,000 in fiscal year 2017 from the general fund to the commissioner of the office of higher education for grants to student teachers in shortage areas. Makes this appropriation available until June 30, 2019.
- 71 Appropriation; school-linked mental health services.** Appropriates \$5,000,000 in fiscal year 2017 from the general fund the commissioner of human services for children's mental health grants. Encourages the commissioner to expend the fiscal year 2017 appropriation equally over fiscal years 2017, 2018, and 2019.

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- 72** **Revisor's instruction.** Directs the revisor to codify the section in this article on the innovative delivery of career and technical programs and services.
- 73** **Repealer.** (a) Repeals: the definition of adequate yearly progress under Minnesota Statutes, section 120B.299, subdivision 5; the language under Minnesota Statutes, section 122A.413, subdivision 3, directing a Q-Comp school or district to use an educational improvement plan for site accountability purposes; the Principals' Leadership Academy under Minnesota Statutes, section 122A.74 (leaves in place a Minnesota Principals' Academy appropriation under Laws 2015, First Special Session chapter 3, article 2, section 70, subdivision 23, in lieu of Minnesota Statutes, section 122A.74); and an obsolete No Child Left Behind review under Minnesota Statutes, section 127A.095, subdivision 2.
- (b) Repeals a direction under Minnesota Statutes, section 122A.413, subdivisions 1 and 2, directing a Q-Comp school or district to develop an educational improvement plan for site accountability purposes.
- (c) Repeals Minnesota Statutes, sections 122A.40, subdivision 11, and 122A.41, subdivision 14, establishing statutory leave of absence provisions, effective July 1, 2017.

### **Article 3: Charter Schools**

This article modifies charter school provisions.

- 1** **Application content.** (a) Requires an organization applying to be an approved authorizer to describe the organization's capacity to serve as an authorizer. Allows the commissioner to use information about specific individuals when approving an authorizer but not when reviewing an authorizer's performance.
- (b) Allows a school district authorizer to satisfy the requirements for approval as an authorizer – demonstrating how chartering schools helps the applicant realize its mission and the applicant's capacity to serve as an authorizer – and the requirements governing a conflict of interest, an ongoing evaluation, or continuing education by submitting to the commissioner a written promise to comply with these requirements.
- Makes this section effective immediately.
- 2** **Review by commissioner.** (a) Directs the education commissioner to review an authorizer's performance every five years, subject to paragraphs (b) and (c).
- (b) and (c) Requires the commissioner to use appropriate criteria, developed in consultation with stakeholders, to review the authorizer's performance. Requires the education commissioner to minimize duplicative reporting to the extent practicable. Directs the commissioner, when reviewing an authorizer's performance, not to (1) fail to credit, (2) withhold points, or (3) otherwise penalize an authorizer for failing to charter additional schools or for the absence of complaints against the authorizer's chartered schools.
- Makes this section effective immediately.
- 3** **Withdrawal.** Makes a technical correction.

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- 4**        **Contents.** (a) Provides for a pre-operational planning period instead of a pre-operational planning year.
- (b) Directs charter schools to design their programs to meet the world's best work force goals.
- 5**        **Mutual nonrenewal.** Allows a change in charter school authorizers if the governing board of an approved authorizer votes to withdraw as an authorizer for a reason unrelated to the statutory causes for not renewing or terminating a charter school contract. When pursuing a change in authorizers under this subdivision, requires the authorizer that is the party to the charter contract to inform the proposed authorizer about unmet contract outcomes, among other required information.
- 6**        **Annual public reports.** (b) Requires an authorizer to submit an annual public report to the education commissioner by January 15 for the previous school year ending June 30 that includes at least key indicators of school academic, operational, and financial performance.
- 7**        **Cash flow adjustment; charter schools.** Removes the 200 maximum pupil limitation on an eligible special education charter school that requests an accelerated cash flow schedule.
- 8**        **Effective date.** Allows prekindergarten deaf and hard-of-hearing pupils to enroll in a charter school in the 2016-2017 school year and deletes a previously enacted condition allowing such enrollment only if the commissioner determined no added cost would be attributable to the pupil.
- Makes this section effective immediately.

## Article 4: Special Education

### Overview

This article modifies special education procedures and funding.

- 1**        **Planning for students' successful transition to postsecondary education and employment; personal learning plans.** (e) Indicates that if the individualized education program or standardized written plan of a student with disabilities meets the components of a plan required in this section, no additional transition plan is needed.
- 2**        **Qualified interpreters.** Strikes a reference to the resource center and substitutes and makes a technical correction to a reference to the state specialist for deaf and hard-of-hearing.
- 3**        **Eligibility.** Changes a reference from an individual interagency intervention plan to a standardized written plan.
- 4**        **Individualized education programs.** Indicates that if the individualized education program of a student with disabilities meets the components of a personal learning plan, no additional transition plan is needed.



## Section

- 5 Student information systems; transferring records.** (a) Allows districts, beginning July 1, 2018, to contract only for a student information system that is Schools Interoperability Framework compliant.
- (b) Requires the commissioner of education to certify that MDE's online case management system is compatible with vendor information systems before requiring a district to use an online case management reporting system.
- (c) Requires the commissioner to specify whether a compatible compliant system exists and to list vendor systems that meet compatibility criteria.
- 6 Facilitated team meeting.** Makes a technical change to refer to a multiagency team.
- 7 Physical holding or seclusion.** (a) Requires a school, before secluding a student, to review and document in the student's individualized education program whether the student has any known medical or psychological conditions that might recommend against seclusion. Strikes obsolete language.
- (b) Directs school districts to provide the education department with data on incidents of seclusion and the students who are secluded. Requires the department to collect and publish the data. Directs the department to contact and provide technical assistance to a school district after reviewing the district's seclusion data. Substitutes references to prone restraints with references to seclusion.
- Makes this section effective for the 2016-2017 school year and later.
- 8 Prohibitions.** Adds prone restraint to the list of prohibited restrictive procedures.
- Makes this section effective immediately.
- 9 Advisory committees.** (b) Requires the advisory committees for the deaf and hard-of-hearing and for the blind and visually impaired advisory committees to each review, approve, and submit a biennial report on eligible children's education outcomes to the education commissioner, the legislature, and the Commission of Deaf, DeafBlind, and Hard-of-Hearing Minnesotans.
- 10 Appropriation.** Increases the special education aid appropriation by \$69,000 per year starting in fiscal year 2017 for additional special education aid to allow the Metro Deaf charter school to directly enroll prekindergarten pupils. Adjusts the appropriation for forecast changes.
- 11 Reducing state-generated special education paperwork.** Requires the education commissioner in fiscal year 2017 and in fiscal year 2018 to use existing budgetary resources to remove 25 percent of the state-generated special education paperwork burden on special education teachers.
- Makes this section effective immediately.
- 12 Appropriation canceled.** Cancels the remaining portion of the fiscal year 2014 appropriation (\$1,686,000) transferred to MN.IT and returns the unspent balance to the state general fund.

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### Article 5: Facilities

#### Overview

This article creates a broadband Internet grant program, and clarifies the long-term facilities maintenance revenue program.

- 1 **Definitions; eligible debt service.** Removes energy loans from the definition of eligible debt service.
- 2 **Radon testing.** Clarifies that a school district's costs associated with radon testing should be included in the district's ten-year facility plan and are eligible expenses under the long-term facilities maintenance revenue program (radon testing was previously covered under a district's health and safety program).
- 3 **Facilities plan; long-term facilities maintenance revenue program.** Clarifies that a school district's ten-year facilities plan must be updated annually and submitted to the commissioner of education by July 31 of each year.
- 4 **Long-term facilities maintenance equalization revenue.** Clarifies the calculation of the portion of a school district's long-term facilities maintenance revenue that is subject to equalization.
- 5 **Long-term facilities maintenance equalized levy.** Clarifies that "average tax base per pupil unit" should be calculated using only school district pupil units (and not charter school pupil units) as the denominator.
- 6 **Long-term facilities maintenance unequalized levy.** Defines a district's long-term facilities maintenance unequalized levy as the difference between the district's total long-term facilities maintenance revenue and the district's long-term facilities maintenance equalized revenue.
- 7 **Long-term facilities maintenance equalized aid.** Defines a school district's long-term facilities maintenance equalized aid as the difference between the district's long-term facilities maintenance equalized revenue and the district's long-term facilities maintenance equalized levy.
- 8 **Allowed use for long-term facilities maintenance revenue.** Allows a school district to transfer any long-term facilities maintenance revenue from the general fund (where the program's revenue is currently held) to the district's debt redemption fund to make the principal and interest payments on any bonds issued for long-term facilities maintenance projects.
- 9 **Restrictions on long-term facilities maintenance revenue.** Corrects an erroneous cross reference.
- 10 **Bonds for building calamities.** Transfers the authority for a school district to issue general obligation bonds to fund a rebuilding project resulting from a building calamity (fire, flood, etc.) from the health and safety revenue program to the long-term facilities maintenance program.

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- 11** **Review and comment.** Specifically exempts long-term facilities maintenance projects that are already included in a district's ten-year plan from the facilities review and comment process.
- 12** **Deficits; exemption.** Updates an obsolete reference from the capital expenditure fund (a fund that was eliminated about 20 years ago) to the reserve for operating capital account in the general fund.
- 13** **Account transfer for reorganizing districts.** Clarifies that a school district that has reorganized (consolidating or dissolving) is prohibited from transferring funds out of its long-term facilities maintenance account in the general fund.
- 14** **Elimination of reserve accounts.** Closes each district's health and safety accounts (as the program is replaced by the long-term facilities maintenance revenue program) as of June 30, 2019, and transfers any balances into the unassigned general fund. Transfers any balance remaining in the alternative facilities account to the long-term facilities maintenance account in the building construction fund as of June 30, 2016.
- 15** **Energy conservation.** Eliminates obsolete references to energy conservation loans received prior to March 1, 1998.
- 16** **Taconite payment and other reductions.** Replaces obsolete references to health and safety revenue with references to long-term facilities maintenance revenue.
- 17** **Required debt service levy.** Clarifies that the required debt service levy does not include amounts necessary for repayment of three types of bonds that have separate revenue authority:
- (1) long-term facilities maintenance revenue bonds (§ 123B.595);
  - (2) bonds for certain capital equipment (§ 123B.61); and
  - (3) bonds for certain capital facilities (§ 123B.62).
- 18** **Early repayment.** Authorizes a school district with an outstanding balance on its maximum effort capital loan to refinance its local bonds and repay to the state an amount equal to the remaining original principal amount that is still outstanding and forgives any accumulated interest on the state maximum effort capital loan.
- 19** **Internet broadband expansion; innovative grants.** Creates a matching grant program for school districts seeking to expand student connectivity. Authorizes grants of up to \$100,000 per district for equipment and operating costs, increased to \$200,000 for districts that submit a cooperative application.
- 20** **Appropriation.** Appropriates \$7,000,000 for Internet broadband expansion grants. Reserves \$5,000,000 for grants for broadband Wi-Fi hot spots and \$2,000,000 for grants to build broad band capacity.
- 21** **Repealer.** Repeals the following:
- ▶ § 123B.60, subd. 2. – health and safety revenue pledged for calamity bonds; and
  - ▶ § 123B.79, subds. 2 and 6. – obsolete school fund and account references for technical colleges and certain separation and retirement benefits.

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### Article 6: Early Childhood

#### Overview

This article allows school districts to integrate their ECFE and School Readiness programs, modifies the early learning scholarship program, prospectively qualifies charter schools for school readiness aid, and appropriates money for early education programs.

- 1 **Early learning program coordination.** Allows a school board to adopt a resolution to create an early learning program that combines its ECFE and School Readiness activities. Requires the school board to receive a report from its ECFE advisory account before combining the programs. Allows a district with a combined program to place its ECFE and School Readiness revenue into a single account and spend the money on the early learning activities outlined in the board's resolution.
- 2 **Establishment and purpose; ECFE program.** Allows ECFE programming to be provided through an integrated ECFE and School Readiness program.
- 3 **Separate accounts.** Allows a district's ECFE revenue to be kept in its current reserve account or in a combined reserve account with its School Readiness funding.
- 4 **District advisory councils; ECFE.** Requires a school district's ECFE advisory council to assist the board in planning and monitoring an integrated early learning program.
- 5 **Use of revenue restricted; ECFE.** Allows a district's ECFE revenue to be used for integrated early learning programs as well as ECFE programs.
- 6 **Reserve account; ECFE.** Requires a district's ECFE revenue to be kept in its current reserve account or in a combined early learning reserve account.
- 7 **Establishment; purpose; school readiness.** Authorizes a charter school, individually or in cooperation with other charter schools, to establish a school readiness program.
- 8 **Application and reporting requirements; school readiness.** Requires a charter school to apply to the commissioner of education for approval of its school readiness program in the same manner as a school district. Clarifies the timelines for both school districts and charter schools to submit their school readiness plans to the commissioner.
- 9 **Amount of aid.** Authorizes school readiness aid for charter schools if the statutory aid entitlement for the school readiness program is increased beginning in fiscal year 2018. Bases the school readiness aid for charter schools on the number of kindergarten pupils enrolled in the previous year as there is no measure of resident four-year-old children for charter schools.
- 10 **Use of aid; School Readiness.** Allows a school district's School Readiness aid to be used for an integrated early learning program as well for School Readiness programs.
- 11 **Reserve account; school readiness.** Requires a district's School Readiness aid to be kept in its current reserve account or in an integrated early learning program account.

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- 12 Early learning scholarships.** Grants priority and authorizes early learning scholarships for young children if the child is in foster care or otherwise in need of protective services, or the child's family has experienced homelessness (currently scholarships are generally limited to children who are three or four years of age).
- Allows the commissioner of education to award a scholarship in an amount higher than the amount based on the child care market rate survey to a homeless child or a child in foster care or otherwise in need of protective services.
- 13 Parent-child home program; appropriation.** Increases the appropriation for the parent-child home program by \$2,000,000 for fiscal year 2017. Directs the increase to be used over the next three fiscal years.
- 14 Quality rating system; appropriation.** Increases the appropriation for the Quality Rating and Improvement System by \$1,825,000 for fiscal year 2017 only.
- 15 St. Cloud Area School District; appropriation.** Appropriates \$430,000 in fiscal year 2017 from the general fund to the commissioner of education for a grant to the St. Cloud Area School District to establish a preschool pilot program directed toward serving low income and English language learners. Requires the grant to be used to establish morning and afternoon preschool sections of 15 students each at three elementary schools. Requires each class to consist of 10 English language learners and 5 English-proficient students. Allows funds to be used for staff costs, curriculum, equipment, and student transportation. Authorizes the funds to carry forward until expended.

## **Article 7: Self-Sufficiency and Lifelong Learning**

### **Overview**

Provides additional flexibility and funding for GED tests. Clarifies adult basic education program language.

- 1 Program requirements.** Indicates that an adult basic education program is for people who are not subject to compulsory attendance laws.
- 2 Program approval; adult basic education.** Clarifies that an adult basic education consortium may consist of school districts, nonprofit organizations, or both.
- 3 GED test fees.** Authorizes the commissioner to pay 100 percent of the fee charged to an eligible individual for costs of one full battery of GED tests for fiscal year 2017 only.
- 4 GED tests; appropriation.** Increases the appropriation for the costs of GED tests by \$120,000 for fiscal year 2017 only. Makes \$125,000 the base appropriation for fiscal year 2018 and later.
- 5 Appropriation; adult basic education aid.** Appropriates \$400,000 for fiscal year 2017 only for three adult basic education programs for innovative programming. Allocates the money among the three programs based on the students served by each program.

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### Article 8: State Agencies

#### Overview

This article modifies the appropriation for the Minnesota Department of Education, creates a special license fee fund for teachers and administrator licenses, and makes the appropriation to the Board of Teaching (BoT) and the Board of School Administrators (BOSA) directly from this fund.

- 1 **Fees; Board of School Administrators.** Requires BOSA to deposit all license fees collected from school administrators in the new educator licensure account in the special revenue fund (instead of the state general fund).
- 2 **Temporary military license.** Requires BoT to deposit any fees received for temporary military licenses in the new account for educator licensure in the special revenue fund (instead of the state general fund).
- 3 **Background checks.** Requires any fees for teacher background checks to be deposited in a new account in the special education revenue fund for educator licensure background checks.
- 4 **Special revenue fund accounts; educator licensure and background checks.** Creates an educator licensure account in the special revenue fund. Requires all licensure fees paid to MDE, BoT, and BOSA to be deposited in the fund. Creates a background check account in the special revenue fund and appropriates all money out of the fund to the commissioner of education for payment to the Bureau of Criminal Apprehension for educator background checks.
- 5 **Licensure applications.** Requires the fees paid by teacher applicants to be deposited in the new account in the special revenue fund. Clarifies language.
- 6 **Licensure via portfolio.** Requires fees paid by teacher applicants for licensure via portfolio to be deposited in the educator licensure account in the special revenue fund.
- 7 **Annual appropriation.** Annually appropriates all money from teacher license via portfolio fees to BoT.
- 8 **Revenue timing; Qcomp.** Clarifies that once a school district has been formerly approved for Qcomp revenue and has received written notice that it is eligible for revenue, the district remains eligible for Qcomp aid as long as the district's plan remains approved.
- 9 **Errors in distribution.** Requires the commissioner of education to determine if Qcomp aid payment errors can be fixed under this section of law, and if not, requires the commissioner to make the Qcomp aid payments from the Department of Education's budget.
- 10 **Appropriations; Department of Education.** Beginning in fiscal year 2017, removes riders on MDE agency budget for transfer to BoT and BOSA as these organizations will now receive direct appropriations. Annually appropriates any estimated "surplus" balance from the educator licensure account in the special revenue fund to the commissioner of education to defray costs of MDE's teacher licensure activities. Requires the commissioner to transfer

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funds from the Department of Education's agency budget to the Qcomp appropriation in order to make aid payments to the affected school districts.

- 11 Transfers.** Requires the commissioner of management and budget to transfer any balance from the current special account for licensure via portfolio to the new educator licensure account.
- 12 Appropriation; Board of Teaching.** Appropriates \$718,000 in fiscal year 2017 from new educator licensure account to BoT for the board's operations (this is the amount of the current law rider for BoT).
- 13 Appropriation; Board of School Administrators.** Appropriates \$231,000 in fiscal year 2017 from new educator licensure account to BOSA for the board's operations (this is the amount of the current law rider for BOSA).

**Article 9: Forecast Adjustments**

**Overview**

This article is technical and adjusts appropriations for K-12 programs to match the February 2016 forecast.