

1.1 ..... moves to amend H.F. No. 945, the first engrossment, as follows:

1.2 Page 4, line 27, delete "two" and insert "one" and delete "evaluations" and insert "  
1.3 evaluation"

1.4 Page 5, line 23, delete "the following" and insert "a"

1.5 Page 5, line 24, after "scale" insert "developed under this paragraph"

1.6 Page 5, line 25, after "exist" insert ". The district or charter school, in consultation  
1.7 with its teachers, must define low, medium, and high academic growth and progress toward  
1.8 grade-level proficiency for purposes of establishing teacher performance effectiveness  
1.9 ratings so that a teacher is rated"

1.10 Page 5, line 26, delete "a teacher is"

1.11 Page 5, line 28, delete "a teacher is"

1.12 Page 5, line 30, delete "a teacher is"

1.13 Page 5, line 32, delete "a teacher"

1.14 Page 5, line 34, delete "a teacher is"

1.15 Page 6, delete lines 31 to 35

1.16 Page 7, delete lines 1 to 12

1.17 Page 11, delete section 9

1.18 Page 12, line 33, delete "60 school days only" and insert "year" and delete "first  
1.19 year of"

1.20 Page 17, lines 2 to 5, delete the new language

1.21 Page 19, line 16, delete "60 days only" and insert "year" and delete "first year of"

1.22 Page 23, lines 21 to 25, delete the new language

1.23 Page 23, delete section 14

1.24 Page 24, delete section 15 and insert:

1.25 "Sec. 14. Minnesota Statutes 2010, section 123B.143, subdivision 1, is amended to  
1.26 read:

2.1 Subdivision 1. **Contract; duties.** All districts maintaining a classified secondary  
2.2 school must employ a superintendent who shall be an ex officio nonvoting member of the  
2.3 school board. The authority for selection and employment of a superintendent must be  
2.4 vested in the board in all cases. An individual employed by a board as a superintendent  
2.5 shall have an initial employment contract for a period of time no longer than three years  
2.6 from the date of employment. Any subsequent employment contract must not exceed a  
2.7 period of three years. A board, at its discretion, may or may not renew an employment  
2.8 contract. A board must not, by action or inaction, extend the duration of an existing  
2.9 employment contract. Beginning 365 days prior to the expiration date of an existing  
2.10 employment contract, a board may negotiate and enter into a subsequent employment  
2.11 contract to take effect upon the expiration of the existing contract. A subsequent contract  
2.12 must be contingent upon the employee completing the terms of an existing contract. If a  
2.13 contract between a board and a superintendent is terminated prior to the date specified in  
2.14 the contract, the board may not enter into another superintendent contract with that same  
2.15 individual that has a term that extends beyond the date specified in the terminated contract.  
2.16 A board may terminate a superintendent during the term of an employment contract for any  
2.17 of the grounds specified in section 122A.40, subdivision 9 or 13. A superintendent shall  
2.18 not rely upon an employment contract with a board to assert any other continuing contract  
2.19 rights in the position of superintendent under section 122A.40. Notwithstanding the  
2.20 provisions of sections 122A.40, subdivision 10 or 11, 123A.32, 123A.75, or any other law  
2.21 to the contrary, no individual shall have a right to employment as a superintendent based  
2.22 on order of employment in any district. If two or more districts enter into an agreement for  
2.23 the purchase or sharing of the services of a superintendent, the contracting districts have  
2.24 the absolute right to select one of the individuals employed to serve as superintendent  
2.25 in one of the contracting districts and no individual has a right to employment as the  
2.26 superintendent to provide all or part of the services based on order of employment in a  
2.27 contracting district. The superintendent of a district shall perform the following:

2.28 (1) visit and supervise the schools in the district, report and make recommendations  
2.29 about their condition when advisable or on request by the board;

2.30 (2) recommend to the board employment and dismissal of teachers;

2.31 (3) annually evaluate each school principal assigned responsibility for supervising  
2.32 a school building within the district, consistent with section 123B.147, subdivision 3,  
2.33 paragraph (b);

2.34 (4) superintend school grading practices and examinations for promotions;

2.35 ~~(4)~~ (5) make reports required by the commissioner; and

2.36 ~~(5)~~ (6) perform other duties prescribed by the board.

3.1 **EFFECTIVE DATE.** This section is effective for the 2013-2014 school year and  
3.2 later.

3.3 Sec. 15. Minnesota Statutes 2010, section 123B.147, subdivision 3, is amended to read:

3.4 Subd. 3. **Duties; evaluation.** (a) The principal shall provide administrative,  
3.5 supervisory, and instructional leadership services, under the supervision of the  
3.6 superintendent of schools of the district and ~~in accordance with~~ according to the policies,  
3.7 rules, and regulations of the school board of education, for the planning, management,  
3.8 operation, and evaluation of the education program of the building or buildings to which  
3.9 the principal is assigned.

3.10 (b) To enhance a principal's leadership skills, support and improve teaching  
3.11 practices, school performance, and student achievement, and attract and retain highly  
3.12 effective teachers, a district must develop and implement a performance-based system for  
3.13 annually evaluating school principals assigned to supervise a school building within the  
3.14 district. The evaluation must be designed to improve teaching and learning by supporting  
3.15 the principal in shaping the school's professional environment and developing teacher  
3.16 quality, performance, and effectiveness. The annual evaluation must:

3.17 (1) support and improve a principal's instructional leadership, organizational  
3.18 management, and professional development, and strengthen the principal's capacity in the  
3.19 areas of instruction, supervision, evaluation, and teacher development;

3.20 (2) include formative and summative evaluations;

3.21 (3) be consistent with a principal's job description, a district's long-term plans and  
3.22 goals, and the principal's own professional multiyear growth plans and goals, all of which  
3.23 must support the principal's leadership behaviors and practices, rigorous curriculum,  
3.24 school performance, and high-quality instruction;

3.25 (4) include on-the-job observations and previous evaluations;

3.26 (5) allow surveys to help identify a principal's effectiveness, leadership skills and  
3.27 processes, and strengths and weaknesses in exercising leadership in pursuit of school  
3.28 success;

3.29 (6) use longitudinal data on student academic growth as an evaluation component  
3.30 and incorporate district achievement goals and targets; and

3.31 (7) be linked to professional development that emphasizes improved teaching and  
3.32 learning, curriculum and instruction, student learning, and a collaborative professional  
3.33 culture.

4.1 The provisions of this paragraph are intended to provide districts with sufficient  
4.2 flexibility to accommodate district needs and goals related to developing, supporting,  
4.3 and evaluating principals.

4.4 **EFFECTIVE DATE.** This section is effective for the 2013-2014 school year and  
4.5 later.

4.6 Sec. 16. Minnesota Statutes 2010, section 124D.10, subdivision 11, is amended to read:

4.7 Subd. 11. **Employment and other operating matters.** (a) A charter school must  
4.8 employ or contract with necessary teachers, as defined by section 122A.15, subdivision  
4.9 1, who hold valid licenses to perform the particular service for which they are employed  
4.10 in the school. The charter school's state aid may be reduced under section 127A.43  
4.11 if the school employs a teacher who is not appropriately licensed or approved by the  
4.12 board of teaching. The school may employ necessary employees who are not required to  
4.13 hold teaching licenses to perform duties other than teaching and may contract for other  
4.14 services. The school may discharge teachers and nonlicensed employees. The school must  
4.15 create and implement a teacher evaluation structure under section 122A.411 to use in  
4.16 developing and improving teacher performance and student learning. Teacher evaluations  
4.17 undertaken under this paragraph do not create additional due process rights for teachers  
4.18 employed or otherwise working at the school. The charter school board is subject to  
4.19 section 181.932. When offering employment to a prospective employee, a charter school  
4.20 must give that employee a written description of the terms and conditions of employment  
4.21 and the school's personnel policies.

4.22 (b) A person, without holding a valid administrator's license, may perform  
4.23 administrative, supervisory, or instructional leadership duties. The board of directors shall  
4.24 establish qualifications for persons that hold administrative, supervisory, or instructional  
4.25 leadership roles. The qualifications shall include at least the following areas: instruction  
4.26 and assessment; human resource and personnel management; financial management;  
4.27 legal and compliance management; effective communication; and board, authorizer, and  
4.28 community relationships. The board of directors shall use those qualifications as the basis  
4.29 for job descriptions, hiring, and performance evaluations of those who hold administrative,  
4.30 supervisory, or instructional leadership roles. The board of directors and an individual  
4.31 who does not hold a valid administrative license and who serves in an administrative,  
4.32 supervisory, or instructional leadership position shall develop a professional development  
4.33 plan. Documentation of the implementation of the professional development plan of these  
4.34 persons shall be included in the school's annual report.

5.1 (c) The board of directors also shall decide matters related to the operation of the  
5.2 school, including budgeting, curriculum and operating procedures."

5.3 Page 25, line 25, after the period insert "The terms, compensation, and removal of  
5.4 advisory task force members shall be as provided in Minnesota Statutes, section 15.059,  
5.5 except that the task force shall continue until it is specifically terminated by the legislature.  
5.6 The commissioner of education may reimburse task force members from the Department  
5.7 of Education's current operating budget but may not compensate task force members for  
5.8 task force activities." and after "must" insert "periodically"

5.9 Page 25, line 26, after "fully" insert "and effectively"

5.10 Page 25, line 27, after "including" insert "any" and after "changes" insert "needed"  
5.11 and after the period insert "The advisory task force must not recommend changing that  
5.12 part of the teacher appraisal framework under Minnesota Statutes, section 122A.411,  
5.13 that bases 50 percent of a teacher's total appraisal on statewide assessment results under  
5.14 section 120B.35."

5.15 Page 25, line 29, delete "by February 15, 2012. The advisory task force"

5.16 Page 25, line 30, delete "expires June 1, 2012" and insert "at the start of the next  
5.17 legislative session after receiving those recommendations"

5.18 Page 25, after line 31, insert:

5.19 "Sec. 17. **IMPLEMENTING A PERFORMANCE-BASED EVALUATION**  
5.20 **SYSTEM FOR PRINCIPALS.**

5.21 (a) To implement the requirements of Minnesota Statutes, sections 123B.143,  
5.22 subdivision 1, clause (3), and 123B.147, subdivision 3, paragraph (b), the commissioner of  
5.23 education, the Minnesota Association of Secondary School Principals, and the Minnesota  
5.24 Association of Elementary School Principals must convene a group of recognized and  
5.25 qualified experts and interested stakeholders, including principals, superintendents,  
5.26 teachers, school board members, and parents, among other stakeholders, to develop a  
5.27 performance-based system model for annually evaluating school principals. In developing  
5.28 the system model, the group must at least consider how principals develop and maintain:

5.29 (1) high standards for student performance;

5.30 (2) rigorous curriculum;

5.31 (3) quality instruction;

5.32 (4) a culture of learning and professional behavior;

5.33 (5) connections to external communities;

5.34 (6) systemic performance accountability; and

6.1 (7) leadership behaviors that create effective schools and improve school  
6.2 performance, including how to plan for, implement, support, advocate for, communicate  
6.3 about, and monitor continuous and improved learning.

6.4 The group also may consider whether to establish a multitiered evaluation system  
6.5 that supports newly licensed principals in becoming highly skilled school leaders and  
6.6 provides opportunities for advanced learning for more experienced school leaders.

6.7 (b) The commissioner, the Minnesota Association of Secondary School Principals,  
6.8 and the Minnesota Association of Elementary School Principals must submit a  
6.9 written report and all the group's working papers to the education committees of the  
6.10 legislature by February 1, 2012, discussing the group's responses to paragraph (a) and its  
6.11 recommendations for a performance-based system model for annually evaluating school  
6.12 principals. The group convened under this section expires June 1, 2012.

6.13 **EFFECTIVE DATE.** This section is effective the day following final enactment  
6.14 and applies to principal evaluations beginning in the 2013-2014 school year and later."

6.15 Renumber the sections in sequence and correct the internal references

6.16 Amend the title accordingly