Overview

In 1998, the state abolished the state board of education effective 12/31/99 and established a task force on transitional issues affecting state board of education powers and duties to recommend how to best transfer those powers and duties. This bill contains the task force recommendations.

Section

1. **State board of education changed to commissioner of children, families and learning; other changes.** Declares that laws enacted in 1998 abolishing the state board of education and transferring board powers and duties apply except as provided in this act.

2. **Statewide testing.** Strikes a requirement that the commissioner consult with the state board of education before including components in the statewide educational accountability and public reporting system.

3. **Teacher preparation programs.** Strikes language requiring the state board of teaching to obtain the approval of the state board of education for teacher preparation programs for bilingual and ESL teachers.

4. **Grounds for revocation, suspension, or denial.** Removes the jurisdiction of the state board of education over administrators' licenses and gives that jurisdiction to the state board of teaching.

5. **Mandatory reporting.** Strikes the requirement that school boards report to the state board of education when discharging, suspending or accepting the resignation of a school administrator, thereby giving jurisdiction over administrators' licenses to the state board of teaching.

6. **Teachers' and administrators' licenses; fees.** Requires that a processing fee, set by the state board of teaching instead of the state board of education, accompany the application for licenses for supervisory personnel, thereby giving jurisdiction over administrators' licenses to the state board of teaching.

7. **Special operating plan.** As part of a special operating plan to reduce a district's deficit.
expenditures, allows the commissioner to require the district to meet high school graduation requirements, instead of state board of education curriculum requirements.

8 **Extended day programs.** Precludes the commissioner, instead of the state board of education, from adopting rules for extended day programs.

9 **Use of the revenue.** Strikes the reference to the state board of education contained in the requirement that integration revenue be used for programs established under a desegregation plan.

10 **Integration revenue.** Strikes references to those portions of Minnesota Rules governing desegregation plans mandated by the state board of education.

11 **Cultural exchange program goals.** Strikes language allowing student and staff exchanges involving a school district with a state board of education-approved desegregation plan.

12 **Board of directors.** Strikes the requirement that the MAEF board of directors includes a member of the state board of education who serves as chair.

13 **Hearing review officer's qualifications.** Strikes the prohibition that a hearing review officer not be a state board of education member.

14 **Appointment and duties.** Strikes language making the commissioner the secretary of the state board of education. Strikes language requiring the commissioner to perform duties contained in state board of education rules and make recommendations to the state board of education, including recommendations enabling the state board of education to carry out its duties.

15 **Education advisory council.** Establishes a council to advise the commissioner and the legislature on education matters and planning. Includes on the council representatives of organizations of interested stakeholders selected by those organizations and members of the public. Precludes council members from having a direct financial conflict of interest in deliberations. Requires council members to select a chair and precludes members from serving as chair for more than three years. Makes council meeting subject to the open meeting law and requires the council to use technology to make meetings accessible to the public. Makes members' terms subject to the statute governing administrative boards and agencies. Causes the council to expire on 6/30/03.

16 **District appeal of aid reduction; inspection of district schools and accounts and records.** Allows a school board to appeal a reduction of state aid to the Minnesota court of appeals instead of the state board of education. Strikes language requiring district accounts and records to be open to inspection by the state board of education.

17 **Dispute violations; hearing.** Allows a local school board to appeal to the Minnesota court of appeals the commissioner's decision to reduce state aid, instead of appealing to the state board of education. Strikes language describing the requirements for a state board of education hearing under this section.

18 **Violation; aid reduction.** Precludes the commissioner from reducing a district's state aid payments if the Minnesota court of appeals, instead of the state board of education, decides that no violation exists.

19 **Department.** Strikes language establishing the state board of education.

20 **Administrative rules.** Allows the commissioner, instead of the state board of education, to adopt, amend and repeal rules. Allows the commissioner, instead of the state board of education, to grant variances to rules and to make technical changes and corrections to the rules. Requires the commissioner to report annually by February 1 to the education and governmental operations committees on existing and proposed rules.

21 **Successor trustee.** Makes the commissioner a successor trustee for all funding bequeathed to
the state board of education. Requires the commissioner to administer the trust funds for the same purpose for which the funds were received and held.

22 **Repealer.** Repeals state board of education-related provisions affecting appeals of board decisions, terms of board membership, board membership in certain organizations, a requirement that board contracts be in writing, and board powers and duties affecting public schools and educational agencies.

23 **Effective date.** Makes sections 1 to 22 effective 12/31/99.