Overview

This bill is fashioned after S.F. 1187, a bill that Senator Pogemiller introduced during the 1999 legislative session to amend and repeal K-12 statutory provisions. Senator Pogemiller included an amended version of S.F. 1187 in the Senate's 1999 K-12 education finance bill. The 1999 K-12 education finance conference committee considered the amended version of S.F. 1187 in the Senate's education finance bill but did not adopt it as part of the K-12 conference committee report. H.F. 2590 contains many but not all of the proposed statutory changes found in S.F. 1187, and proposes other statutory amendments and repeals as well.

Article 1: Education Code; Compulsory Attendance

(page 2)

Section

1 Charter school. Defines a charter school as a public school.

2 Parental responsibility. Makes a child's parent responsible for assuring that the child is enrolled in a school that is either a public school, a nonpublic school, a church or religious organization, or a home-school.

3 Effective date. Makes sections 1 and 2 effective for the 2000-2001 school year.

Article 2: Curriculum and Assessment

(page 2)

1 Adopting policies. Strikes the requirement that a district's instruction and curriculum policy include a plan that contains education effectiveness processes and integrates instruction, curriculum and technology.

2 Report. Strikes the requirement that a district's annual report on curriculum, instruction and student performance include specified information about the district's advisory committee
3 **Violence prevention curriculum.** Strikes language declaring the purpose of the program, listing specific items a district is encouraged to include in its violence prevention program and permitting the department of children, families and learning to assist participating nonpublic schools at a neutral site.

4 **Grant application.** Makes a technical change by striking a reference to program components that are stricken in section 3.

5 **Effective date.** Makes sections 1 to 3 effective for the 2000-2001 school year.

**Article 3: Student Rights, Responsibilities and Behavior**

(page 6)

1 **Reports of dangerous weapon incidents in school zones.** Makes technical changes. Requires schools to report incidents involving dangerous weapons annually on July 1 only, and strikes the requirement that schools also report on February 1.

2 **Health standards; immunizations; school children.** Makes technical changes.

3 **School safety patrols.** Makes technical changes. Indicates that any school except a home school may organize a school safety patrol. Allows a parent to refuse to have the parent’s student appointed to a school safety patrol.

4 **Policies to be established.** Strikes language directing the commissioner to assist school districts to cooperatively establish alternative education services for students dismissed from school for dangerous, disruptive or violent behavior.

5 **School board policy.** Strikes language requiring a school board’s hazing policy to include reporting procedures and disciplinary consequences.

6 **Repealer.** Repeals sections:
   121A.03, subdivision 3, requiring school boards to submit to the commissioner a copy of the board’s sexual, religious, and racial harassment and sexual, religious, and racial violence policy
   121A.16, establishing the purpose of the state’s early childhood health and development screening
   121A.70, governing secret fraternities and societies.

7 **Effective date.** Makes sections 1 to 6 effective for the 2000-2001 school year.

**Article 4: Teachers and Other Educators**

(page 18)

1 **Register of persons licensed.** Strikes specific items of information the state board of teaching must include in its register listing the persons it licenses. Strikes the board’s annual duty to compile and transmit a list of licensed teachers.

2 **Teachers, supervisory and support personnel, definitions, licensure.** Makes a technical change by referring to education speech language pathologists instead of speech therapists. Excludes athletic coaches from the definition of supervisory personnel.

3 **Licensure rules.** Prohibits the commissioner from making, amending or repealing school personnel licensure rules unless specifically authorized by law.

4 **District recording of teacher licenses.** Makes technical changes.

5 **Probationary period.** Makes a technical change.
Peer review for teachers. Directs a school board and the teachers' exclusive representative to jointly develop a peer review process for continuing contract and probationary teachers.

Peer review for teachers. Directs a school board in a first class city school district and the teachers' exclusive representative to jointly develop a peer review process for continuing contract and probationary teachers.

Termination; hearing. Describes the hearing process a school district must observe when terminating a head varsity coach of an interscholastic sport at the secondary school level during the interscholastic sport season.

Staff development committee. Makes a technical change.

Establishment. Strikes the prohibition against employing more than 600 eligible teachers as teacher residents in any one school year.

Recommendation for licensure requirements. Makes a technical change by directing the state board of teaching to maintain, instead of develop, K-12 model outcomes, assessments and programs.

Student teachers. Makes a technical change by referring to student teachers instead of practice teachers.

Applications. Strikes the requirement that the state board of teaching consult with the teacher mentoring task force when approving or disapproving applications for a teacher mentorship program grant.

Designated state official. Makes a technical change by indicating that the executive secretary of the board of teaching, instead of the commissioner of children, families and learning is the designated state official for purposes of the interstate agreement on qualifications of education personnel.

Record of contracts. Makes a technical change by requiring the board of teaching instead of the commissioner of children, families and learning, to keep on file two copies of contracts related to the interstate agreement on qualifications of education personnel.

Revisor instruction. Directs the revisor to renumber a statutory section and make needed cross reference changes.

Repealer. Repeals sections:

122A.162, authorizing the commissioner to make licensure rules for school personnel
122A.163, permitting the commissioner to grant a variance to teacher licensure rules
122A.19, permitting persons with general teaching licenses and competence and communicative skills in a language other than English to be licensed as a bilingual or ESL teacher
122A.32, requiring school districts with at least 10,000 pupils to employ an assessment professional with a related graduate level degree
122A.40, subdivision 6, directing a school board and the teachers' exclusive representative to jointly develop a probationary teacher peer review process
122A.41, subdivision 3, directing a school board in a first class city school district and the teachers' exclusive representative to jointly develop a probationary teacher peer review process
122A.49, subdivisions 1, 2 and 4, establishing sabbatical leave for teachers (subdivision 3, which remains in effect, allows teachers granted a sabbatical leave to retain all rights in the employing school district)
122A.52, prohibiting the payment of teachers' wages for those teachers in default in
making reports or returning their register
122A.53, requiring teachers to keep a register
122A.71, stating the purpose and directing the board of teaching to evaluate teacher
preparation programs by July 1, 1989
122A.72, establishing teacher centers
122A.75, establishing an administrators' academy

18 Effective date. Makes sections 1 to 16 effective for the 2000-2001 school year.

Article 5: School Districts; Forms for Organizing

(page 24)

1 Program focus. Strikes a description of the focus of an area learning center program.
2 Repealer. Repeals sections:
   123A.15, establishing education districts
   123A.35, establishing procedures for school districts to enter into cooperation and
   combination agreements
   123A.36, requiring school districts participating in cooperation and combination
   agreements to adopt a cooperation and combination plan
   123A.37, requiring the commissioner and voters to approve a proposed combination of
   school districts
   123A.38, establishing July 1 as the effective date for combining school districts
   123A.39, subdivisions 1, 2 and 4, establishing employment terms for the employees of
   cooperating and combining school districts (subdivision 3, which remains in effect,
   allows cooperating or combined districts to levy for severance pay or early retirement
   incentives for some employees)
   123A.41, subdivision 1, authorizing and determining referendum revenue for combining
   school districts
   123A.41, subdivision 4, allowing combined or combining school districts to levy for
   transitional expenses
   123A.43, allowing cooperating school districts to submit joint reports to the
   commissioner
3 Effective date. Makes sections 1 and 2 effective for the 2000-2001 school year except that the
repeal for section 123A.41, subdivision 4, is effective July 1, 2002.

Article 6: School District Powers and Duties

(page 25)

1 Board authority. Indicates that a school board's authority includes governing and managing the
district and carrying out the board's duties and responsibilities.
2 Agreement. Makes technical changes. Requires a principal employed at a school to be a
member of the site decision-making team. Requires a school district to notify parents about the
site decision-making team. Strikes the requirement that an approved school site management
agreement and any denials to enter into a school site management agreement be filed with the
commissioner.
3 Commissioner's role. Strikes the requirements that the commissioner conduct and compile
research on the effectiveness of site decision-making and periodically report on and evaluate the
effectiveness of site management agreements.

4 **Contract; duties.** Strikes specific superintendent duties. Amends a requirement that the superintendent submit an annual report to the commissioner identifying the highest student passage rates the district expects to attain on the state's basic skills tests by the twelfth grade and the extent to which the district is cross subsidizing programs with special education, basic skills and general education revenue.

5 **Principals.** Allows a principal of a single building of K-12 students to hold either an elementary or secondary principal's license. Makes technical changes. Strikes specific principal duties. Directs a principal to perform administrative and supervisory duties determined by the school district.

6 **School boards may require fees.** Allows a school board to charge admission fees and other charges to part-time students over age 21 attending secondary classes or programs unless the part-time student is participating in the high school graduation incentives program or the student receives special education services.

7 **Use of individualized instructional materials.** Strikes the requirement that districts or service areas ensure an accurate and periodic inventory of textbooks and instructional materials loaned to nonpublic school students. Strikes the authority of the commissioner to promulgate rules to terminate the ability of nonpublic school students to use loaned textbooks and instructional materials if the textbooks and instructional materials are used for a religious activity.

8 **Activities outside district limits.** Makes technical changes allowing a school board to authorize school sport or educational activities outside the district.

9 **Board authorization of extracurricular activities.** Makes technical changes by referring to the school board's ability to authorize, instead of take charge and control of, extracurricular activities.

10 **Sites.** Makes technical changes by referring to schools instead of schoolhouses.

11 **School closing.** Makes technical changes by referring to schools instead of schoolhouses.

12 **Reduce statutory operating debt.** Strikes an outdated fiscal year reference.

13 **School bus safety week.** Strikes language permitting school boards to designate a school bus driver day.

14 **Student training.** Makes technical changes. Strikes specific components of school bus safety training for students.

15 **Comprehensive policy.** Strikes language encouraging school districts to use a model school bus safety policy. Strikes the requirement that school districts annually submit a school bus safety policy to the school bus safety advisory committee.

16 **Repealer.** Repeals sections:

   123B.02, subdivision 5, allowing school boards to remove unauthorized vehicles from school grounds
   123B.02, subdivision 9, allowing school boards to provide library facilities
   123B.02, subdivision 10, allowing school boards to offer summer school and flexible learning year programs
   123B.02, subdivision 13, allowing school boards to furnish school lunches
   123B.11, allowing school boards to establish imprest cash funds
   123B.15, imposing a fine on persons who refuse to serve on a school board
   123B.16, imposing a fine on school district clerks who fail to make a required report
   123B.17, imposing a fine on school officials who draw illegal orders
123B.18, imposing a fine on school district clerks who fail to keep or deliver records
123B.19, imposing a fine on county auditors who fail to report to the commissioner
123B.744, authorizing school districts to acquire property for agricultural education
123B.93, allowing the commissioner to contract for advertising on school buses and to
deposit all advertising revenue in the state's general fund
123B.95, subdivision 3, requiring boards of common school districts to visit each school
periodically

**Effective date.** Makes sections 1 to 16 effective for the 2000-2001 school year.

**Article 7: Education Programs**

(page 40)

1 **Kindergarten instruction.** Strikes language permitting school boards to offer kindergarten
instruction to all eligible children after July 1, 1974, or admit children under an early admissions
policy. Strikes language permitting school boards to offer programs for children below
kindergarten age.

2 **Pupil application procedures.** Strikes language requiring a pupil and the pupil's parent to
explore with school staff the pupil's reason for applying to enroll in a nonresident school district
under the state's open enrollment program. Changes from January 15 to March 1 the open
enrollment date by which a parent must notify a resident district that the open enrollment pupil
intends to return to the resident district or by which the parent of an open enrollment student
applies to have the student attend a different nonresident district. Requires districts within 30
days to accept or reject an open enrollment application and notify parents of the date enrollment
begins. Requires parents within 10 days to inform the enrolling school district whether the pupil
intends to enroll in that school district.

3 **Authorization; notification.** Makes a technical change.

4 **Parental consent.** Strikes language requiring school districts to provide information and
counseling to students interested in participating in the post secondary enrollment options
program.

5 **Dissemination of information; notification of intent to enroll.** Strikes the requirement, which
is not binding, that students annually inform a district by March 1 of the student's intent to
enroll in post secondary enrollment options courses during the following year.

6 **Expected outcomes.** Makes a technical change by referring to the expected outcomes, instead
of the purposes, of a charter school.

7 **Contract.** Makes a technical change by referring to the expected outcomes, instead of the
purposes, of a charter school.

8 **Review and comment.** Makes a technical change by referring to the sponsor instead of the
chartering school district. Strikes the requirements that information from a charter's school
review and comment be reported to the commissioner and that the commissioner periodically
report to the legislature on trends and suggestions resulting from charter school evaluations.
Directs the commissioner annually to report to the legislature on emerging charter school issues.

9 **Available information.** Makes the department of children, families and learning responsible,
after consulting with charter school sponsors and operators, for disseminating information to the
public on how to form and operate a charter school. Strikes the requirement that the information
be targeted to particular groups.

10 **Program reimbursement.** Strikes a duplicative sentence on providing state funds to reimburse
school breakfasts.
Establishment; school participation. Strikes language encouraging school districts to participate in the state's kindergarten milk program.

Program guidelines; duties of commissioner. Strikes language requiring the commissioner to encourage school districts to participate in the state's kindergarten milk program. Makes technical changes.

Definition of flexible learning year program. Allows eligible school districts to operate a flexible learning year program in the district's day or residential facilities for children with a disability.

Powers and duties. Prohibits the commissioner from promulgating, amending or repealing flexible learning year rules unless specifically authorized by law.

Program established. Strikes residency requirements for student participation in a learning year program.

Foundation programs and duties. Strikes examples of applied leadership and intracurricular vocational learning experiences for students participating in school-to-work programs that the school-to-work student organization foundation may advance.

Youth entrepreneurship education program. Indicates that the youth entrepreneurship education program is intended to teach youth to create businesses that combine academic knowledge with entrepreneurial skills, among other things.

Expected outcomes of the Minnesota youth works act. Reduces the number of expected outcomes, instead of purposes, of the Minnesota youth works act.

Grant authority. Makes technical changes to remove outdated references.

Grant applications. Makes technical changes. Strikes a number of expected outcomes that youth works grant applicants must meet.

Training and education requirements. Strikes language permitting grantee organizations under the youth community service programs to coordinate or contract with educational institutions and other educational providers.

Establishment. Strikes a goal statement of the education and employment transitions system and a reference to system goals. Anticipates the system will take an integrated, instead of life-long approach to work force development. Strikes several system requirements.

Youth apprenticeship programs. Strikes components of the youth apprenticeship agreement.

Local education and employment transitions systems. Refers to expected outcomes instead of objectives and graduation standards instead of curriculum. Strikes several system outcomes.

Service-learning programs developed. Strikes the requirement to develop a program curriculum.

Structuring programs according to grade or educational level. Refers to the service-learning framework instead of curriculum.

Participation of nonpublic school pupils. Allows school districts to provide limited English proficiency programs to nonpublic school students at a public school, a neutral site, the nonpublic school or other suitable location, at the district's election.

Desegregation/integration. Strikes language establishing an office of desegregation/integration in the department of children, families and learning and directing only metropolitan school districts to participate in cooperative desegregation/integration efforts. Directs the commissioner to make desegregation/integration efforts.

Creation of foundation. Directs the Minnesota academic excellence foundation to promote academic excellence in public and nonpublic schools and in communities through public-private partnerships.
Foundation programs. Strikes examples of programs that the Minnesota academic excellence foundation may develop.

Revisor instruction. Directs the revisor to renumber statutory sections and make needed cross reference changes.

Repealer. Repeals sections:

124D.02, subdivision 4, permitting school boards to charge part-time students a reasonable fee for a class or program
124D.06, making available specific enrollment options in nonresident districts to students enrolled or qualified to enroll in the late 1970's
124D.07, authorizing the commissioner to allow students to enroll in nonresident school districts
124D.081, subdivision 1, establishing the purpose of the first grade preparedness program
124D.118, subdivision 1, stating legislative findings concerning the school milk program
124D.122, permitting school boards, with the commissioner's approval, to establish and operate a flexible learning year program in the district's day or residential facilities for children with a disability
124D.124, requiring school boards to hold meetings to negotiate with school personnel and discuss with parents and community members the matter of implementing a flexible learning year program
124D.125, subdivisions 1, 2, 4 and 5, governing teachers' assignments, schedules and contract rights under a flexible learning year program (subdivision 3, which remains in effect, protects the contract rights of teachers participating in a flexible learning year program)
124D.127, allowing school boards, with the commissioner's approval, to terminate a flexible learning year program in the district's day or residential facilities for children with a disability
124D.30, establishing family connections aid
124D.47, subdivision 1, establishing the purpose of the comprehensive youth apprenticeship program
124D.91, creating the citation to the Minnesota local partnership act
124D.92, establishing the purpose of the Minnesota local partnership act
124D.93, establishing the Minnesota local partnership program

Effective date. Makes sections 1 to 32 effective for the 2000-2001 school year and later.

Article 8: Education and Technology

(page 63)

State information system. Strikes references to a computerized system of information.

Telecommunication access grant and statewide coordination. Strikes language establishing the purpose of the statewide school district telecommunications network. Strikes the requirement that the Minnesota education telecommunications council notify unqualified applicants.

Repealer. Repeals section:

125B.02, establishing state goals for technological advances in education
Effective date. Makes sections 1 to 3 effective for the 2000-2001 school year and later.

Article 9: Education Funding

(page 68)

1 Pupil unit. Precludes a school district from counting a part-time student in a class or program who is over age 21 or a high school graduate as a pupil unit unless the part-time student is enrolled in the graduation incentives program.

2 Policy. Strikes a statement declaring the state policy regarding the financing of education. Indicates the state will encourage equity and accountability.

3 Repealer. Repeals section:

124D.68, subdivision 8, governing general education and transportation aid adjustments under the graduation incentives program

Effective date. Makes sections 1 and 2 effective for the 2000-2001 school year and later.

Article 10: State Administration of Education

(page 70)

1 Appointment and duties. Allows the commissioner to appointment up to two deputy commissioners.

2 General supervision over public schools and educational agencies. Strikes the requirements that the commissioner adopt goals for public schools, classify and standardize public schools, prepare suggested courses of study and develop a plan to attain the adopted goals.

3 Recommendations; budget. Strikes the requirement that the commissioner recommend modification and unification of education laws. Makes a technical change.

4 Schedule adjustments. Strikes a statement of legislative intent regarding school districts' use of staff and facilities.

5 Repealer. Repeals section:

127A.41, requiring the commissioner to report to the legislature if the commissioner elects to audit fewer than 25 school districts

Effective date. Makes sections 1 to 5 effective for the 2000-2001 school year and later.

Article 11: Arts School

(page 71)

1 Powers and duties of board. Strikes permissive powers and duties of the board of the Perpich center for arts education, including: establishing or coordinating evening, continuing education, extension, and summer programs; identifying pupils who have artistic talent; providing additional instruction to pupils for a thirteenth grade; determining the location for facilities related to the center for arts education; establishing advisory task forces; and requesting assistance and services from the commissioner.

Effective date. Makes section 1 effective for the 2000-2001 school year and later.

Article 12: Repeal of Rules

(page 74)

1 Repealer. Repeals rules the department of children, families learning determined are obsolete in a December 1, 1999 report to the legislature. Repeals Minnesota Rules, parts:
Effective date. Makes section 1 immediately effective.