

This Document can be made available in alternative formats upon request

State of Minnesota

HOUSE OF REPRESENTATIVES

NINETIETH SESSION

H. F. No. 1048

02/09/2017 Authored by Erickson and Pugh The bill was read for the first time and referred to the Committee on Education Innovation Policy

1.1 A bill for an act
1.2 relating to education; reducing commissioner mandates and empowering schools
1.3 relating to innovation zones, the world's best workforce, advanced academic credit,
1.4 and textbooks loaned to nonpublic students; amending Minnesota Statutes 2016,
1.5 sections 120B.11, subdivision 9; 120B.14; 123B.43; Laws 2012, chapter 263,
1.6 section 1, subdivision 3, as amended.

1.7 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.8 Section 1. Minnesota Statutes 2016, section 120B.11, subdivision 9, is amended to read:

1.9 Subd. 9. Annual evaluation. (a) ~~The commissioner must identify effective strategies,~~
1.10 ~~practices, and use of resources by districts and school sites in striving for the world's best~~
1.11 ~~workforce.~~ Upon request, the commissioner must assist districts and sites throughout the
1.12 state in implementing ~~these~~ effective strategies, practices, and use of resources in striving
1.13 for the world's best workforce.

1.14 (b) The commissioner must identify those districts in any consecutive three-year period
1.15 not making sufficient progress toward improving teaching and learning for all students,
1.16 including English learners with varied needs, consistent with section 124D.59, subdivisions
1.17 2 and 2a, and striving for the world's best workforce. The commissioner, in collaboration
1.18 with the identified district, may require the district to use up to two percent of its basic
1.19 general education revenue per fiscal year during the proximate three school years to
1.20 implement commissioner-specified strategies and practices, consistent with paragraph (a),
1.21 to improve and accelerate its progress in realizing its goals under this section. In
1.22 implementing this section, the commissioner must consider districts' budget constraints and
1.23 legal obligations.

2.1 ~~(e) The commissioner shall report by January 25 of each year to the committees of the~~
 2.2 ~~legislature having jurisdiction over kindergarten through grade 12 education the list of~~
 2.3 ~~school districts that have not submitted their report to the commissioner under subdivision~~
 2.4 ~~5 and the list of school districts not achieving their performance goals established in their~~
 2.5 ~~plan under subdivision 2.~~

2.6 Sec. 2. Minnesota Statutes 2016, section 120B.14, is amended to read:

2.7 **120B.14 ADVANCED ACADEMIC CREDIT.**

2.8 A district must grant academic credit to a pupil attending an accelerated or advanced
 2.9 academic course offered by a higher education institution or a nonprofit public agency other
 2.10 than the district, if the pupil successfully completes the course attended and passes an
 2.11 examination approved by the district. If no comparable course is offered by the district, the
 2.12 ~~commissioner~~ school board shall determine the number of credits which shall be granted
 2.13 to a pupil who successfully completes and passes the course. If a comparable course is
 2.14 offered by the district, the board must grant a comparable number of credits to the pupil. If
 2.15 there is a dispute between the district and the pupil regarding the number of credits granted
 2.16 for a particular course, the pupil may appeal the school board's decision to the commissioner.
 2.17 The commissioner's decision regarding the number of credits shall be final.

2.18 The credits granted to a pupil shall be counted toward the graduation requirements and
 2.19 subject area requirements of the district. Evidence of successful completion of each class
 2.20 and credits granted shall be included in the pupil's secondary school record.

2.21 Sec. 3. Minnesota Statutes 2016, section 123B.43, is amended to read:

2.22 **123B.43 USE OF INDIVIDUALIZED INSTRUCTIONAL MATERIALS.**

2.23 (a) The ~~commissioner~~ school board shall assure that textbooks and individualized
 2.24 instructional materials loaned to nonpublic school pupils are secular, neutral, nonideological
 2.25 and that they are incapable of diversion for religious use.

2.26 (b) Textbooks, individualized instructional materials, software or other educational
 2.27 technology must not be used in religious courses, devotional exercises, religious training
 2.28 or any other religious activity.

2.29 (c) Textbooks and individualized instructional materials must be loaned only to individual
 2.30 pupils upon the request of a parent or guardian or the pupil on a form designated for this
 2.31 use by the commissioner. The request forms shall provide for verification by the parent or
 2.32 guardian or pupil that the requested textbooks and individualized instructional materials are

3.1 for the use of the individual pupil in connection with a program of instruction in the pupil's
3.2 elementary or secondary school.

3.3 (d) The servicing school district or the intermediary service area must take adequate
3.4 measures to ensure an accurate and periodic inventory of all textbooks, individualized
3.5 instructional materials, software or other educational technology loaned to elementary and
3.6 secondary school pupils attending nonpublic schools. The commissioner of education shall
3.7 promulgate rules under the provisions of chapter 14 to terminate the eligibility of any
3.8 nonpublic school pupil if the commissioner determines, after notice and opportunity for
3.9 hearing, that the textbooks, individualized instructional materials, or software or other
3.10 educational technology, have been used in a manner contrary to the provisions of section
3.11 123B.41, subdivision 5, 123B.42, or this section or any rules promulgated by the
3.12 commissioner of education.

3.13 (e) Nothing contained in section 123B.41, subdivision 5, 123B.42, or this section shall
3.14 be construed to authorize the making of any payments to a nonpublic school or its faculty,
3.15 staff or administrators for religious worship or instruction or for any other purpose.

3.16 Sec. 4. Laws 2012, chapter 263, section 1, subdivision 3, as amended by Laws 2014,
3.17 chapter 312, article 15, section 24, subdivision 3, is amended to read:

3.18 Subd. 3. **Pilot project evaluation.** Participating school districts must ~~submit pilot project~~
3.19 ~~data to the commissioner in the form and manner determined by the commissioner. The~~
3.20 ~~education commissioner must analyze participating districts' their progress in realizing their~~
3.21 educational goals and objectives to work together in providing innovative education programs
3.22 and activities and sharing resources. The ~~commissioner~~ districts must include the analysis
3.23 of best practices in a report to the legislative committees with jurisdiction over kindergarten
3.24 through grade 12 education finance and policy on the efficacy of this pilot project by February
3.25 1 annually. ~~The commissioner shall submit an interim project report by February 1, 2016,~~
3.26 ~~and must submit a final report to the legislature by February 1, 2019, recommending whether~~
3.27 ~~or not to continue or expand the pilot project.~~