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State of Minnesota
HOUSE OF REPRESENTATIVES

EIGHTY-NINTH SESSION

H. F. No. 246

01/20/2015 Authored by Urdahl, Wills, Loon, Kresha, Marquart and others
The bill was read for the first time and referred to the Committee on Education Innovation Policy
03/05/2015 Adoption of Report: Re-referred to the Committee on Education Finance

1.1 A bill for an act
1.2 relating to education; reaffirming the importance of teacher mentorship programs;
1.3 appropriating money; amending Minnesota Statutes 2014, sections 122A.40,
1.4 subdivision 8; 122A.41, subdivision 5; 122A.60, subdivision 1a; 122A.61,
1.5 subdivision 1; 122A.70.

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

1.7 Section 1. Minnesota Statutes 2014, section 122A.40, subdivision 8, is amended to read:

1.8 Subd. 8. **Development, evaluation, and peer coaching for continuing contract**
1.9 **teachers.** (a) To improve student learning and success, a school board and an exclusive
1.10 representative of the teachers in the district, consistent with paragraph (b), may develop
1.11 a teacher evaluation and peer review process for probationary and continuing contract
1.12 teachers through joint agreement. If a school board and the exclusive representative of the
1.13 teachers do not agree to an annual teacher evaluation and peer review process, then the
1.14 school board and the exclusive representative of the teachers must implement the state
1.15 teacher evaluation plan under paragraph (c). The process must include having trained
1.16 observers serve as peer coaches or having teachers participate in professional learning
1.17 communities, consistent with paragraph (b).

1.18 (b) To develop, improve, and support qualified teachers and effective teaching
1.19 practices and improve student learning and success, the annual evaluation process for
1.20 teachers:

1.21 (1) must, for probationary teachers, provide for all evaluations required under
1.22 subdivision 5;

1.23 (2) must establish a three-year professional review cycle for each teacher that
1.24 includes an individual growth and development plan, a peer review process, and at least
1.25 one summative evaluation performed by a qualified and trained evaluator such as a school

2.1 administrator. For the years when a tenured teacher is not evaluated by a qualified and
2.2 trained evaluator, the teacher must be evaluated by a peer review;

2.3 (3) must be based on professional teaching standards established in rule;

2.4 (4) must coordinate staff development activities under sections 122A.60 and
2.5 122A.61 with this evaluation process and teachers' evaluation outcomes;

2.6 (5) may provide time during the school day and school year for peer coaching and
2.7 teacher collaboration;

2.8 (6) may include job-embedded learning opportunities such as professional learning
2.9 communities;

2.10 (7) may include mentoring under section 122A.70 and induction programs;

2.11 (8) must include an option for teachers to develop and present a portfolio
2.12 demonstrating evidence of reflection and professional growth, consistent with section
2.13 122A.18, subdivision 4, paragraph (b), and include teachers' own performance assessment
2.14 based on student work samples and examples of teachers' work, which may include video
2.15 among other activities for the summative evaluation;

2.16 (9) must use data from valid and reliable assessments aligned to state and local
2.17 academic standards and must use state and local measures of student growth and literacy
2.18 that may include value-added models or student learning goals to determine 35 percent of
2.19 teacher evaluation results;

2.20 (10) must use longitudinal data on student engagement and connection, and other
2.21 student outcome measures explicitly aligned with the elements of curriculum for which
2.22 teachers are responsible, including academic literacy, oral academic language, and
2.23 achievement of content areas of English learners;

2.24 (11) must require qualified and trained evaluators such as school administrators to
2.25 perform summative evaluations and ensure school districts and charter schools provide for
2.26 effective evaluator training specific to teacher development and evaluation;

2.27 (12) must give teachers not meeting professional teaching standards under clauses
2.28 (3) through (11) support to improve through a teacher improvement process that includes
2.29 established goals and timelines; and

2.30 (13) must discipline a teacher for not making adequate progress in the teacher
2.31 improvement process under clause (12) that may include a last chance warning,
2.32 termination, discharge, nonrenewal, transfer to a different position, a leave of absence, or
2.33 other discipline a school administrator determines is appropriate.

2.34 Data on individual teachers generated under this subdivision are personnel data
2.35 under section 13.43. The observation and interview notes of peer coaches may only be
2.36 disclosed to other school officials with the consent of the teacher being coached.

3.1 (c) The department, in consultation with parents who may represent parent
3.2 organizations and teacher and administrator representatives appointed by their respective
3.3 organizations, representing the Board of Teaching, the Minnesota Association of School
3.4 Administrators, the Minnesota School Boards Association, the Minnesota Elementary
3.5 and Secondary Principals Associations, Education Minnesota, and representatives of
3.6 the Minnesota Assessment Group, the Minnesota Business Partnership, the Minnesota
3.7 Chamber of Commerce, and Minnesota postsecondary institutions with research expertise
3.8 in teacher evaluation, must create and publish a teacher evaluation process that complies
3.9 with the requirements in paragraph (b) and applies to all teachers under this section and
3.10 section 122A.41 for whom no agreement exists under paragraph (a) for an annual teacher
3.11 evaluation and peer review process. The teacher evaluation process created under this
3.12 subdivision does not create additional due process rights for probationary teachers under
3.13 subdivision 5.

3.14 **EFFECTIVE DATE.** This section is effective for the 2015-2016 school year and
3.15 later.

3.16 Sec. 2. Minnesota Statutes 2014, section 122A.41, subdivision 5, is amended to read:

3.17 Subd. 5. **Development, evaluation, and peer coaching for continuing contract**
3.18 **teachers.** (a) To improve student learning and success, a school board and an exclusive
3.19 representative of the teachers in the district, consistent with paragraph (b), may develop an
3.20 annual teacher evaluation and peer review process for probationary and nonprobationary
3.21 teachers through joint agreement. If a school board and the exclusive representative of
3.22 the teachers in the district do not agree to an annual teacher evaluation and peer review
3.23 process, then the school board and the exclusive representative of the teachers must
3.24 implement the state teacher evaluation plan developed under paragraph (c). The process
3.25 must include having trained observers serve as peer coaches or having teachers participate
3.26 in professional learning communities, consistent with paragraph (b).

3.27 (b) To develop, improve, and support qualified teachers and effective teaching
3.28 practices and improve student learning and success, the annual evaluation process for
3.29 teachers:

3.30 (1) must, for probationary teachers, provide for all evaluations required under
3.31 subdivision 2;

3.32 (2) must establish a three-year professional review cycle for each teacher that
3.33 includes an individual growth and development plan, a peer review process, and at least
3.34 one summative evaluation performed by a qualified and trained evaluator such as a school
3.35 administrator;

- 4.1 (3) must be based on professional teaching standards established in rule;
- 4.2 (4) must coordinate staff development activities under sections 122A.60 and
4.3 122A.61 with this evaluation process and teachers' evaluation outcomes;
- 4.4 (5) may provide time during the school day and school year for peer coaching and
4.5 teacher collaboration;
- 4.6 (6) may include job-embedded learning opportunities such as professional learning
4.7 communities;
- 4.8 (7) may include mentoring under section 122A.70 and induction programs;
- 4.9 (8) must include an option for teachers to develop and present a portfolio
4.10 demonstrating evidence of reflection and professional growth, consistent with section
4.11 122A.18, subdivision 4, paragraph (b), and include teachers' own performance assessment
4.12 based on student work samples and examples of teachers' work, which may include video
4.13 among other activities for the summative evaluation;
- 4.14 (9) must use data from valid and reliable assessments aligned to state and local
4.15 academic standards and must use state and local measures of student growth and literacy
4.16 that may include value-added models or student learning goals to determine 35 percent of
4.17 teacher evaluation results;
- 4.18 (10) must use longitudinal data on student engagement and connection and other
4.19 student outcome measures explicitly aligned with the elements of curriculum for which
4.20 teachers are responsible, including academic literacy, oral academic language, and
4.21 achievement of English learners;
- 4.22 (11) must require qualified and trained evaluators such as school administrators to
4.23 perform summative evaluations and ensure school districts and charter schools provide for
4.24 effective evaluator training specific to teacher development and evaluation;
- 4.25 (12) must give teachers not meeting professional teaching standards under clauses
4.26 (3) through (11) support to improve through a teacher improvement process that includes
4.27 established goals and timelines; and
- 4.28 (13) must discipline a teacher for not making adequate progress in the teacher
4.29 improvement process under clause (12) that may include a last chance warning,
4.30 termination, discharge, nonrenewal, transfer to a different position, a leave of absence, or
4.31 other discipline a school administrator determines is appropriate.
- 4.32 Data on individual teachers generated under this subdivision are personnel data
4.33 under section 13.43. The observation and interview notes of peer coaches may only be
4.34 disclosed to other school officials with the consent of the teacher being coached.
- 4.35 (c) The department, in consultation with parents who may represent parent
4.36 organizations and teacher and administrator representatives appointed by their respective

5.1 organizations, representing the Board of Teaching, the Minnesota Association of School
 5.2 Administrators, the Minnesota School Boards Association, the Minnesota Elementary
 5.3 and Secondary Principals Associations, Education Minnesota, and representatives of
 5.4 the Minnesota Assessment Group, the Minnesota Business Partnership, the Minnesota
 5.5 Chamber of Commerce, and Minnesota postsecondary institutions with research expertise
 5.6 in teacher evaluation, must create and publish a teacher evaluation process that complies
 5.7 with the requirements in paragraph (b) and applies to all teachers under this section and
 5.8 section 122A.40 for whom no agreement exists under paragraph (a) for an annual teacher
 5.9 evaluation and peer review process. The teacher evaluation process created under this
 5.10 subdivision does not create additional due process rights for probationary teachers under
 5.11 subdivision 2.

5.12 **EFFECTIVE DATE.** This section is effective for the 2015-2016 school year and
 5.13 later.

5.14 Sec. 3. Minnesota Statutes 2014, section 122A.60, subdivision 1a, is amended to read:

5.15 Subd. 1a. **Effective staff development activities.** (a) Staff development activities
 5.16 must:

5.17 (1) focus on the school classroom and research-based strategies that improve student
 5.18 learning;

5.19 (2) provide opportunities for teachers to practice and improve their instructional
 5.20 skills over time;

5.21 (3) provide opportunities for teachers to use student data as part of their daily work
 5.22 to increase student achievement;

5.23 (4) enhance teacher content knowledge and instructional skills, including to
 5.24 accommodate the delivery of digital and blended learning and curriculum and engage
 5.25 students with technology;

5.26 (5) align with state and local academic standards;

5.27 (6) provide opportunities to build professional relationships, foster collaboration
 5.28 among principals and staff who provide instruction, and provide opportunities for
 5.29 teacher-to-teacher mentoring under section 122A.70 that may include a teacher mentor
 5.30 stipend of up to \$500;

5.31 (7) align with the plan of the district or site for an alternative teacher professional
 5.32 pay system;

5.33 (8) provide teachers of English learners, including English as a second language and
 5.34 content teachers, with differentiated instructional strategies critical for ensuring students'
 5.35 long-term academic success; the means to effectively use assessment data on the academic

6.1 literacy, oral academic language, and English language development of English learners;
 6.2 and skills to support native and English language development across the curriculum; and
 6.3 (9) provide opportunities for staff to learn about current workforce trends, the
 6.4 connections between workforce trends and postsecondary education, and training options,
 6.5 including career and technical education options.

6.6 Staff development activities may include curriculum development and curriculum training
 6.7 programs, and activities that provide teachers and other members of site-based teams
 6.8 training to enhance team performance. The school district also may implement other
 6.9 staff development activities required by law and activities associated with professional
 6.10 teacher compensation models.

6.11 (b) Release time provided for teachers to supervise students on field trips and school
 6.12 activities, or independent tasks not associated with enhancing the teacher's knowledge
 6.13 and instructional skills, such as preparing report cards, calculating grades, or organizing
 6.14 classroom materials, may not be counted as staff development time that is financed with
 6.15 staff development reserved revenue under section 122A.61.

6.16 **EFFECTIVE DATE.** This section is effective for the 2015-2016 school year and
 6.17 later.

6.18 Sec. 4. Minnesota Statutes 2014, section 122A.61, subdivision 1, is amended to read:

6.19 Subdivision 1. **Staff development revenue.** A district is required to reserve
 6.20 an amount equal to at least two percent of the basic revenue under section 126C.10,
 6.21 subdivision 2, for in-service education for programs under section 120B.22, subdivision 2,
 6.22 for staff development plans, including plans for challenging instructional activities and
 6.23 experiences under section 122A.60, and for curriculum development and programs, other
 6.24 in-service education, teachers' mentoring under section 122A.70 and evaluation, teachers'
 6.25 workshops, teacher conferences, the cost of substitute teachers for staff development
 6.26 purposes, preservice and in-service education for special education professionals and
 6.27 paraprofessionals, and other related costs for staff development efforts. A district may
 6.28 annually waive the requirement to reserve their basic revenue under this section if a
 6.29 majority vote of the licensed teachers in the district and a majority vote of the school board
 6.30 agree to a resolution to waive the requirement. A district in statutory operating debt is
 6.31 exempt from reserving basic revenue according to this section. Districts may expend an
 6.32 additional amount of unreserved revenue for staff development based on their needs.

6.33 **EFFECTIVE DATE.** This section is effective for the 2015-2016 school year and
 6.34 later.

7.1 Sec. 5. Minnesota Statutes 2014, section 122A.70, is amended to read:

7.2 **122A.70 TEACHER MENTORSHIP.**

7.3 Subdivision 1. **Teacher mentoring programs.** (a) School districts are encouraged
 7.4 to must, at a minimum, develop teacher mentoring and implement programs for mentoring
 7.5 teachers new to the profession or district, including and may include in the mentoring
 7.6 program teaching residents, teachers of color, teachers with special needs, or and
 7.7 experienced teachers under section 122A.40, subdivision 8, paragraph (b), clause (12), or
 7.8 section 122A.41, subdivision 5, paragraph (b), clause (12), in need of peer coaching.

7.9 (b) Teacher mentoring programs must support districts' teacher evaluation and peer
 7.10 review processes under section 122A.40, subdivision 8, or 122A.41, subdivision 5.

7.11 A district may use staff development revenue under sections 122A.60 and 122A.61 or
 7.12 another funding source to pay a stipend of up to \$500 to a mentor who may be a district
 7.13 employee or a third-party contractor.

7.14 Subd. 2. **Applications Program structure.** (a) The Board of Teaching, upon
 7.15 request, must make application forms available to assist school sites interested in
 7.16 developing or expanding a teacher mentorship program under subdivision 1. A school
 7.17 district, a group of school districts, or a coalition of districts, teachers and teacher
 7.18 education institutions may apply for participate jointly in a teacher mentorship program
 7.19 grant. The Board of Teaching, in consultation with the teacher mentoring task force, must
 7.20 approve or disapprove the applications. To the extent possible, the approved applications
 7.21 must reflect must work to ensure that all teacher mentorship programs contain effective
 7.22 mentoring components, include a variety of coalitions, and be geographically distributed.
 7.23 are readily available throughout the state. The Board of Teaching must encourage
 7.24 the selected help school sites to consider the use of its assessment combine teacher
 7.25 development and evaluation procedures with other effective mentoring components.

7.26 (b) All teacher mentorship programs annually must transmit to the Board of
 7.27 Teaching an electronic copy of the program structure and include the longitudinal data
 7.28 used to measure the program's effectiveness.

7.29 Subd. 3. **Program criteria for selection.** At a minimum, applicants must express
 7.30 commitment districts must structure teacher mentorship programs to:

- 7.31 (1) allow staff participation;
- 7.32 (2) assess skills of both beginning and mentor teachers;
- 7.33 (3) provide appropriate in-service to meet the needs identified in the assessment;
- 7.34 (4) provide leadership to the effort;
- 7.35 (5) cooperate with higher education institutions;
- 7.36 (6) provide facilities and other resources;

- 8.1 (7) share findings, materials, and techniques with other school districts; and
 8.2 (8) retain teachers of color.

8.3 Subd. 4. **Additional Funding.** ~~Applicants are required to~~ Notwithstanding other
 8.4 law to the contrary, to implement this section, districts may use staff development revenue
 8.5 under section 122A.61 or alternative compensation revenue under section 122A.415
 8.6 and may seek additional funding and assistance from sources such as school districts,
 8.7 postsecondary institutions, foundations, and the private sector.

8.8 Subd. 5. **Program implementation.** ~~New and expanding Mentorship sites that are~~
 8.9 ~~funded to design, develop, implement, and evaluate their program~~ must participate in
 8.10 activities that support ~~program~~ the development and implementation of teacher mentorship
 8.11 programs. The Board of Teaching must provide resources and assistance to support ~~new~~
 8.12 school sites in their program efforts and must develop a teacher mentorship program
 8.13 model that interested districts may use in whole or in part to implement this section. ~~These~~
 8.14 Board activities and services may include, but are not limited to, assistance with: planning,
 8.15 planning guides, media, training, conferences, institutes, and regional and statewide
 8.16 networking meetings. ~~Nonfunded schools or districts interested in getting started may~~
 8.17 ~~participate. Fees may be charged for meals, materials, and the like.~~

8.18 **EFFECTIVE DATE.** This section is effective for the 2015-2016 school year and
 8.19 later.

8.20 Sec. 6. **BOARD OF TEACHING; TEACHER MENTORSHIP PROGRAM**
 8.21 **APPROPRIATION.**

8.22 \$..... is appropriated in fiscal year 2016 from the general fund to the Board of
 8.23 Teaching for purposes of implementing teacher mentorship programs under Minnesota
 8.24 Statutes, section 122A.70. Any unexpended funds do not cancel but are available in
 8.25 the next fiscal year.