

**SENATE**  
**STATE OF MINNESOTA**  
**EIGHTY-EIGHTH SESSION**

**S.F. No. 2611**

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DATE	D-PG	OFFICIAL STATUS
03/12/2014	6168	Introduction and first reading Referred to Education See SF767, Art. 1, 3

A bill for an act

1.1 relating to education; recognizing the native and English language development  
1.2 and academic needs of English learners, from young children to adults;  
1.3 amending Minnesota Statutes 2012, sections 119A.50, subdivision 3; 120B.12;  
1.4 122A.06, subdivision 4; 122A.14, subdivisions 2, 3; 122A.18, subdivisions  
1.5 2a, 4; 122A.19; 122A.413, subdivision 2; 122A.414, subdivision 2; 122A.60,  
1.6 subdivisions 1a, 2, 3; 122A.68, subdivision 3; 122A.74; 123A.06, subdivision  
1.7 2; 123B.04, subdivision 4; 123B.147, subdivision 3; 124D.13, subdivision  
1.8 2; 124D.15, subdivision 3; 124D.49, subdivision 3; 124D.52, as amended;  
1.9 124D.522; 124D.59, subdivision 2; 124D.895; 124D.8955; Minnesota Statutes  
1.10 2013 Supplement, sections 120B.11; 120B.115; 120B.125; 120B.35, subdivision  
1.11 3; 120B.36, subdivision 1; 122A.09, subdivision 4; 122A.18, subdivision 2;  
1.12 122A.40, subdivision 8; 122A.41, subdivision 5; 127A.70, subdivision 2;  
1.13 repealing Minnesota Statutes 2012, section 122A.19, subdivision 3.  
1.14

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

1.16 Section 1. Minnesota Statutes 2012, section 119A.50, subdivision 3, is amended to read:

1.17 Subd. 3. **Early childhood literacy programs.** (a) A research-based early childhood  
1.18 literacy program premised on actively involved parents, ongoing professional staff  
1.19 development, and high quality early literacy program standards is established to increase  
1.20 the literacy skills of children participating in Head Start to prepare them to be successful  
1.21 readers and to increase families' participation in providing early literacy experiences to  
1.22 their children. Program providers must:

1.23 (1) work to prepare children to be successful learners;

1.24 (2) work to close the achievement gap for at-risk children;

1.25 (3) use ~~an~~ a culturally relevant integrated approach to early literacy that daily offers  
1.26 a literacy-rich classroom learning environment composed of books, writing materials,  
1.27 writing centers, labels, rhyming, and other related literacy materials and opportunities;

2.1 (4) support children's home language while helping the children master English and  
2.2 use multiple literacy strategies to provide a cultural bridge between home and school;

2.3 (5) use literacy mentors, ongoing literacy groups, and other teachers and staff to  
2.4 provide appropriate, extensive professional development opportunities in early literacy  
2.5 and classroom strategies for preschool teachers and other preschool staff;

2.6 (6) use ongoing data-based assessments that enable preschool teachers to understand,  
2.7 plan, and implement literacy strategies, activities, and curriculum that meet children's  
2.8 literacy needs and continuously improve children's literacy; ~~and~~

2.9 (7) foster participation by parents, community stakeholders, literacy advisors, and  
2.10 evaluation specialists; and

2.11 (8) provide parents of English learners with oral and written information to monitor  
2.12 the program's impact on their children's English language development, to know whether  
2.13 their children are progressing in developing their English proficiency and, where  
2.14 practicable, their native language proficiency, and to actively engage with their children in  
2.15 developing their English and native language proficiency.

2.16 Program providers are encouraged to collaborate with qualified, community-based  
2.17 early childhood providers in implementing this program and to seek nonstate funds to  
2.18 supplement the program.

2.19 (b) Program providers under paragraph (a) interested in extending literacy programs  
2.20 to children in kindergarten through grade 3 may elect to form a partnership with an  
2.21 eligible organization under section 124D.38, subdivision 2, or 124D.42, subdivision 6,  
2.22 clause (3), schools enrolling children in kindergarten through grade 3, and other interested  
2.23 and qualified community-based entities to provide ongoing literacy programs that offer  
2.24 seamless literacy instruction focused on closing the literacy achievement gap. To close the  
2.25 literacy achievement gap by the end of third grade, partnership members must agree to use  
2.26 best efforts and practices and to work collaboratively to implement a seamless literacy  
2.27 model from age three to grade 3, consistent with paragraph (a). Literacy programs under  
2.28 this paragraph must collect and use literacy data to:

2.29 (1) evaluate children's literacy skills; ~~and~~

2.30 (2) monitor the progress and provide reading instruction appropriate to the specific  
2.31 needs of English learners; and

2.32 (3) formulate specific intervention strategies to provide reading instruction to  
2.33 children premised on the outcomes of formative and summative assessments and  
2.34 research-based indicators of literacy development.

2.35 The literacy programs under this paragraph also must train teachers and other  
2.36 providers working with children to use the assessment outcomes under clause (2) to

3.1 develop and use effective, long-term literacy coaching models that are specific to the  
3.2 program providers.

3.3 Sec. 2. Minnesota Statutes 2013 Supplement, section 120B.11, is amended to read:

3.4 **120B.11 SCHOOL DISTRICT PROCESS FOR REVIEWING CURRICULUM,**  
3.5 **INSTRUCTION, AND STUDENT ACHIEVEMENT; STRIVING FOR THE**  
3.6 **WORLD'S BEST WORKFORCE.**

3.7 Subdivision 1. **Definitions.** For the purposes of this section and section 120B.10,  
3.8 the following terms have the meanings given them.

3.9 (a) "Instruction" means methods of providing learning experiences that enable a  
3.10 student students to meet state and district academic standards and graduation requirements,  
3.11 including providing English learners with appropriate, full, and effective access to regular  
3.12 classroom instruction in core curriculum.

3.13 (b) "Curriculum" means district or school adopted programs and written plans for  
3.14 providing students with learning experiences that lead to expected knowledge and skills  
3.15 and career and college readiness.

3.16 (c) "World's best workforce" means striving to: meet school readiness goals; have  
3.17 all third grade students achieve grade-level literacy; close the academic achievement gap  
3.18 among all racial and ethnic groups of students and between students living in poverty and  
3.19 students not living in poverty; ensure all English learners have the appropriate English  
3.20 learner instruction and content area support to achieve academic language proficiency,  
3.21 including oral academic language proficiency, in English and are taught the same state  
3.22 and local academic standards as native English-speaking students; have all students attain  
3.23 career and college readiness before graduating from high school; and have all students  
3.24 graduate from high school.

3.25 (d) "Cultural competence," "cultural competency," or "culturally competent"  
3.26 means the ability and will to interact effectively with people of different cultures, native  
3.27 languages, and socioeconomic backgrounds.

3.28 Subd. 1a. **Performance measures.** (a) Measures to determine school district and  
3.29 school site progress in striving to create the world's best workforce must include at least:

3.30 (1) student performance on the National ~~Association~~ Assessment of Education  
3.31 Progress;

3.32 (2) the size of the academic achievement gap and rigorous course taking and  
3.33 enrichment experiences by student subgroup;

3.34 (3) student performance on the Minnesota Comprehensive Assessments;

3.35 (4) high school graduation rates; ~~and~~

4.1 (5) career and college readiness under section 120B.30, subdivision 1; and  
 4.2 (6) the English language development and academic progress, including the oral  
 4.3 academic development, of English learners and their native language development if the  
 4.4 native language is used as a language of instruction.

4.5 (b) When administering formative or summative assessments used to measure  
 4.6 the academic progress, including the oral academic development, of English learners  
 4.7 and inform their instruction, schools must ensure that the assessments are accessible to  
 4.8 the students and students have the modifications and supports they need to sufficiently  
 4.9 understand the assessments.

4.10 Subd. 2. **Adopting plans and budgets.** A school board, at a public meeting, shall  
 4.11 adopt a comprehensive, long-term strategic plan to support and improve teaching and  
 4.12 learning that is aligned with creating the world's best workforce and includes:

4.13 (1) clearly defined district and school site goals and benchmarks for instruction and  
 4.14 student achievement for all student subgroups identified in section 120B.35, subdivision 3,  
 4.15 paragraph (b), clause (2);

4.16 (2) a process for assessing and evaluating each student's progress toward meeting state  
 4.17 and local academic standards and identifying the strengths and weaknesses of instruction  
 4.18 in pursuit of student and school success and curriculum affecting students' progress and  
 4.19 growth toward career and college readiness and leading to the world's best workforce;

4.20 (3) a system to periodically review and evaluate the effectiveness of all instruction  
 4.21 and curriculum, taking into account strategies and best practices, student outcomes, school  
 4.22 principal evaluations under section 123B.147, subdivision 3, and teacher evaluations  
 4.23 under section 122A.40, subdivision 8, or 122A.41, subdivision 5;

4.24 (4) strategies for improving instruction, curriculum, and student achievement,  
 4.25 including the English and, where practicable, the native language development and the  
 4.26 academic achievement of English learners;

4.27 (5) education effectiveness practices that integrate high-quality instruction, rigorous  
 4.28 curriculum, technology, and a collaborative professional culture that develops and  
 4.29 supports teacher quality, performance, and effectiveness; and

4.30 (6) an annual budget for continuing to implement the district plan.

4.31 Subd. 3. **District advisory committee.** Each school board shall establish an  
 4.32 advisory committee to ensure active community participation in all phases of planning and  
 4.33 improving the instruction and curriculum affecting state and district academic standards,  
 4.34 consistent with subdivision 2. A district advisory committee, to the extent possible, shall  
 4.35 reflect the diversity of the district and its school sites, ~~and shall~~ include teachers, parents,  
 4.36 support staff, students, and other community residents, and provide translation to the extent

5.1 appropriate and practicable. The district advisory committee shall pursue community  
5.2 support to accelerate the academic and native literacy and achievement of English learners  
5.3 with varied needs, from young children to adults. The district may establish site teams  
5.4 as subcommittees of the district advisory committee under subdivision 4. The district  
5.5 advisory committee shall recommend to the school board rigorous academic standards,  
5.6 student achievement goals and measures consistent with subdivision 1a and sections  
5.7 120B.022, subdivision 1, paragraphs (b) and (c), and 120B.35, district assessments, and  
5.8 program evaluations. School sites may expand upon district evaluations of instruction,  
5.9 curriculum, assessments, or programs. Whenever possible, parents and other community  
5.10 residents shall comprise at least two-thirds of advisory committee members.

5.11 Subd. 4. **Site team.** A school may establish a site team to develop and implement  
5.12 strategies and education effectiveness practices to improve instruction, curriculum,  
5.13 cultural competencies, including cultural awareness and cross-cultural communication,  
5.14 and student achievement at the school site, consistent with subdivision 2. The team advises  
5.15 the board and the advisory committee about developing the annual budget and revising an  
5.16 instruction and curriculum improvement plan that aligns curriculum, assessment of student  
5.17 progress, and growth in meeting state and district academic standards and instruction.

5.18 Subd. 5. **Report.** Consistent with requirements for school performance reports  
5.19 under section 120B.36, subdivision 1, the school board shall publish a report in the local  
5.20 newspaper with the largest circulation in the district, by mail, or by electronic means on  
5.21 the district Web site. The school board shall hold an annual public meeting to review,  
5.22 and revise where appropriate, student achievement goals, local assessment outcomes,  
5.23 plans, strategies, and practices for improving curriculum and instruction and cultural  
5.24 responsiveness, including cultural awareness and cross-cultural communication, and to  
5.25 review district success in realizing the previously adopted student achievement goals and  
5.26 related benchmarks and the improvement plans leading to the world's best workforce. The  
5.27 school board must transmit an electronic summary of its report to the commissioner in the  
5.28 form and manner the commissioner determines.

5.29 Subd. 7. **Periodic report.** Each school district shall periodically survey affected  
5.30 constituencies, in their native languages where appropriate, about their connection to and  
5.31 level of satisfaction with school. The district shall include the results of this evaluation in  
5.32 the summary report required under subdivision 5.

5.33 Subd. 9. **Annual evaluation.** (a) The commissioner must identify effective  
5.34 strategies, practices, and use of resources by districts and school sites in striving for the  
5.35 world's best workforce. The commissioner must assist districts and sites throughout the  
5.36 state in implementing these effective strategies, practices, and use of resources.

6.1 (b) The commissioner must identify those districts in any consecutive three-year  
 6.2 period not making sufficient progress toward improving teaching and learning for all  
 6.3 students, including English learners with varied needs, and striving for the world's best  
 6.4 workforce. The commissioner, in collaboration with the identified district, may require  
 6.5 the district to use up to two percent of its basic general education revenue per fiscal year  
 6.6 during the proximate three school years to implement commissioner-specified strategies  
 6.7 and practices, consistent with paragraph (a), to improve and accelerate its progress in  
 6.8 realizing its goals under this section. In implementing this section, the commissioner must  
 6.9 consider districts' budget constraints and legal obligations.

6.10 Sec. 3. Minnesota Statutes 2013 Supplement, section 120B.115, is amended to read:

6.11 **120B.115 REGIONAL CENTERS OF EXCELLENCE.**

6.12 (a) Regional centers of excellence are established to assist and support school  
 6.13 boards, school districts, school sites, and charter schools in implementing research-based  
 6.14 interventions and practices to increase the students' achievement within a region.  
 6.15 The centers must develop partnerships with local and regional service cooperatives,  
 6.16 postsecondary institutions, integrated school districts, the department, children's mental  
 6.17 health providers, or other local or regional entities interested in providing a cohesive  
 6.18 and consistent regional delivery system that serves all schools equitably. Centers must  
 6.19 assist school districts, school sites, and charter schools in developing similar partnerships.  
 6.20 Center support may include assisting school districts, school sites, and charter schools  
 6.21 with common principles of effective practice, including:

6.22 (1) defining measurable education goals under section 120B.11, subdivision 2;

6.23 (2) implementing evidence-based practices;

6.24 (3) engaging in data-driven decision-making;

6.25 (4) providing multilayered levels of support;

6.26 (5) supporting culturally responsive teaching and learning aligning the development  
 6.27 of academic English proficiency, state and local academic standards, and career and  
 6.28 college readiness benchmarks; ~~and~~

6.29 (6) engaging parents, families, youth, and local community members in programs  
 6.30 and activities at the school district, school site, or charter school that foster collaboration  
 6.31 and shared accountability for the achievement of all students; and

6.32 (7) translating district forms and other information such as a multilingual glossary of  
 6.33 commonly used education terms and phrases.

6.34 Centers must work with school site leadership teams to build capacity the expertise and  
 6.35 experience to implement programs that close the achievement gap, provide effective and

7.1 differentiated programs and instruction for different types of English learners, including  
 7.2 English learners with limited or interrupted formal schooling and long-term English  
 7.3 learners, increase students' progress and growth toward career and college readiness, and  
 7.4 increase student graduation rates.

7.5 (b) The department must assist the regional centers of excellence to meet staff,  
 7.6 facilities, and technical needs, provide the centers with programmatic support, and work  
 7.7 with the centers to establish a coherent statewide system of regional support, including  
 7.8 consulting, training, and technical support, to help school boards, school districts, school  
 7.9 sites, and charter schools effectively and efficiently implement the world's best workforce  
 7.10 goals under section 120B.11 and other state and federal education initiatives.

7.11 Sec. 4. Minnesota Statutes 2012, section 120B.12, is amended to read:

7.12 **120B.12 READING PROFICIENTLY NO LATER THAN THE END OF**  
 7.13 **GRADE 3.**

7.14 Subdivision 1. **Literacy goal.** The legislature seeks to have every child reading at or  
 7.15 above grade level no later than the end of grade 3, including English learners, and that  
 7.16 teachers provide comprehensive, scientifically based reading instruction consistent with  
 7.17 section 122A.06, subdivision 4.

7.18 Subd. 2. **Identification; report.** For the 2011-2012 school year and later, each  
 7.19 school district shall identify before the end of kindergarten, grade 1, and grade 2 students  
 7.20 who are not reading at grade level before the end of the current school year. Reading  
 7.21 assessments in English, and in the predominant languages of district students where  
 7.22 practicable, must identify and evaluate students' areas of academic need related to literacy.  
 7.23 The district also must monitor the progress and provide reading instruction appropriate  
 7.24 to the specific needs of English learners. The district must use a locally adopted,  
 7.25 developmentally appropriate, and culturally responsive assessment and annually report  
 7.26 summary assessment results to the commissioner by July 1.

7.27 Subd. 2a. **Parent notification and involvement.** Schools, at least annually,  
 7.28 must give the parent of each student who is not reading at or above grade level timely  
 7.29 information about:

7.30 (1) student's reading proficiency as measured by a locally adopted assessment;

7.31 (2) reading-related services currently being provided to the student; and

7.32 (3) strategies for parents to use at home in helping their student succeed in becoming  
 7.33 grade-level proficient in reading in English and in their native language.

7.34 Subd. 3. **Intervention.** For each student identified under subdivision 2, the district  
 7.35 shall provide reading intervention to accelerate student growth ~~in order to~~ and reach the

8.1 goal of reading at or above grade level by the end of the current grade and school year.  
 8.2 District intervention methods shall encourage ~~parental involvement~~ family engagement  
 8.3 and, where possible, collaboration with appropriate school and community programs.  
 8.4 Intervention methods may include, but are not limited to, requiring attendance in summer  
 8.5 school, intensified reading instruction that may require that the student be removed from  
 8.6 the regular classroom for part of the school day ~~or~~, extended-day programs, or programs  
 8.7 that strengthen students' cultural connections.

8.8 Subd. 4. **Staff development.** Each district shall use the data under subdivision 2 to  
 8.9 identify the staff development needs so that:

8.10 (1) elementary teachers are able to implement comprehensive, scientifically based  
 8.11 reading and oral language instruction in the five reading areas of phonemic awareness,  
 8.12 phonics, fluency, vocabulary, and comprehension as defined in section 122A.06,  
 8.13 subdivision 4, and other literacy-related areas including writing until the student achieves  
 8.14 grade-level reading proficiency;

8.15 (2) elementary teachers have sufficient training to provide comprehensive,  
 8.16 ~~scientifically based~~ scientifically-based reading and oral language instruction that meets  
 8.17 students' developmental, linguistic, and literacy needs using the intervention methods or  
 8.18 programs selected by the district for the identified students;

8.19 (3) licensed teachers employed by the district have regular opportunities to improve  
 8.20 reading and writing instruction; ~~and~~

8.21 (4) licensed teachers recognize students' diverse needs in cross-cultural settings  
 8.22 and are able to serve the oral language and linguistic needs of students who are English  
 8.23 learners by maximizing strengths in their native languages in order to cultivate students'  
 8.24 English language development, including oral academic language development, and  
 8.25 build academic literacy; and

8.26 (5) licensed teachers are well trained in culturally responsive pedagogy that enables  
 8.27 students to master content, develop skills to access content, and build relationships.

8.28 Subd. 4a. **Local literacy plan.** Consistent with this section, a school district must  
 8.29 adopt a local literacy plan to have every child reading at or above grade level no later than  
 8.30 the end of grade 3, including English learners. The plan must include a process to assess  
 8.31 students' level of reading proficiency, notify and involve parents, intervene with students  
 8.32 who are not reading at or above grade level, and identify and meet staff development  
 8.33 needs. The district must post its literacy plan on the official school district Web site.

8.34 Subd. 5. **Commissioner.** The commissioner shall recommend to districts multiple  
 8.35 assessment tools to assist districts and teachers with identifying students under subdivision  
 8.36 2. The commissioner shall also make available examples of nationally recognized and



9.1 research-based instructional methods or programs to districts to provide comprehensive,  
 9.2 scientifically based reading instruction and intervention under this section.

9.3 Sec. 5. Minnesota Statutes 2013 Supplement, section 120B.125, is amended to read:

9.4 **120B.125 PLANNING FOR STUDENTS' SUCCESSFUL TRANSITION**  
 9.5 **TO POSTSECONDARY EDUCATION AND EMPLOYMENT; INVOLUNTARY**  
 9.6 **CAREER TRACKING PROHIBITED.**

9.7 (a) Consistent with sections 120B.128, 120B.13, 120B.131, 120B.132, 120B.14,  
 9.8 120B.15, 120B.30, subdivision 1, paragraph (c), 125A.08, and other related sections,  
 9.9 school districts, beginning in the 2013-2014 school year, must assist all students by no  
 9.10 later than grade 9 to explore their college and career interests and aspirations and develop  
 9.11 a plan for a smooth and successful transition to postsecondary education or employment.  
 9.12 All students' plans must be designed to:

9.13 (1) provide a comprehensive academic plan for completing a college and  
 9.14 career-ready curriculum premised on meeting state and local academic standards  
 9.15 and developing 21st century skills such as team work, collaboration, creativity,  
 9.16 communication, critical thinking, and good work habits;

9.17 (2) emphasize academic rigor and high expectations;

9.18 (3) help students identify personal learning styles that may affect their postsecondary  
 9.19 education and employment choices;

9.20 (4) help students gain access to postsecondary education and career options;

9.21 (5) integrate strong academic content into career-focused courses and integrate  
 9.22 relevant career-focused courses into strong academic content;

9.23 (6) help students and families identify and gain access to appropriate counseling  
 9.24 and other supports and assistance that enable students to complete required coursework,  
 9.25 prepare for postsecondary education and careers, and obtain information about  
 9.26 postsecondary education costs and eligibility for financial aid and scholarship;

9.27 (7) help students and families identify collaborative partnerships of ~~kindergarten~~  
 9.28 prekindergarten through grade 12 schools, postsecondary institutions, economic  
 9.29 development agencies, and employers that support students' transition to postsecondary  
 9.30 education and employment and provide students with experiential learning opportunities;  
 9.31 and

9.32 (8) be reviewed and revised at least annually by the student, the student's parent or  
 9.33 guardian, and the school or district to ensure that the student's course-taking schedule  
 9.34 keeps the student making adequate progress to meet state and local high school graduation

10.1 requirements and with a reasonable chance to succeed with employment or postsecondary  
10.2 education without the need to first complete remedial course work.

10.3 (b) A school district may develop grade-level curricula or provide instruction that  
10.4 introduces students to various careers, but must not require any curriculum, instruction,  
10.5 or employment-related activity that obligates an elementary or secondary student to  
10.6 involuntarily select a career, career interest, employment goals, or related job training.

10.7 (c) Educators must possess the knowledge and skills to effectively teach all English  
10.8 learners in their classrooms. School districts must provide appropriate curriculum,  
10.9 targeted materials, professional development opportunities for educators, and sufficient  
10.10 resources to enable English learners to become career- and college-ready.

10.11 Sec. 6. Minnesota Statutes 2013 Supplement, section 120B.35, subdivision 3, is  
10.12 amended to read:

10.13 Subd. 3. **State growth target; other state measures.** (a) The state's educational  
10.14 assessment system measuring individual students' educational growth is based on  
10.15 indicators of achievement growth that show an individual student's prior achievement.  
10.16 Indicators of achievement and prior achievement must be based on highly reliable  
10.17 statewide or districtwide assessments.

10.18 (b) The commissioner, in consultation with a stakeholder group that includes  
10.19 assessment and evaluation directors ~~and~~, district staff, experts in culturally responsive  
10.20 teaching, and researchers<sub>2</sub>, must implement a model that uses a value-added growth  
10.21 indicator and includes criteria for identifying schools and school districts that demonstrate  
10.22 medium and high growth under section 120B.299, subdivisions 8 and 9, and may  
10.23 recommend other value-added measures under section 120B.299, subdivision 3. The model  
10.24 may be used to advance educators' professional development and replicate programs that  
10.25 succeed in meeting students' diverse learning needs. Data on individual teachers generated  
10.26 under the model are personnel data under section 13.43. The model must allow users to:

10.27 (1) report student growth consistent with this paragraph; and

10.28 (2) for all student categories, report and compare aggregated and disaggregated state  
10.29 growth data using the nine student categories identified under the federal 2001 No Child  
10.30 Left Behind Act and two student gender categories of male and female, respectively,  
10.31 following appropriate reporting practices to protect nonpublic student data.

10.32 The commissioner must report measures of student growth, consistent with this  
10.33 paragraph.

10.34 (c) When reporting student performance under section 120B.36, subdivision 1, the  
10.35 commissioner annually, beginning July 1, 2011, must report two core measures indicating

11.1 the extent to which current high school graduates are being prepared for postsecondary  
11.2 academic and career opportunities:

11.3 (1) a preparation measure indicating the number and percentage of high school  
11.4 graduates in the most recent school year who completed course work important to  
11.5 preparing them for postsecondary academic and career opportunities, consistent with  
11.6 the core academic subjects required for admission to Minnesota's public colleges and  
11.7 universities as determined by the Office of Higher Education under chapter 136A; and

11.8 (2) a rigorous coursework measure indicating the number and percentage of high  
11.9 school graduates in the most recent school year who successfully completed one or more  
11.10 college-level advanced placement, international baccalaureate, postsecondary enrollment  
11.11 options including concurrent enrollment, other rigorous courses of study under section  
11.12 120B.021, subdivision 1a, or industry certification courses or programs.

11.13 When reporting the core measures under clauses (1) and (2), the commissioner must also  
11.14 analyze and report separate categories of information using the nine student categories  
11.15 identified under the federal 2001 No Child Left Behind Act and two student gender  
11.16 categories of male and female, respectively, following appropriate reporting practices to  
11.17 protect nonpublic student data.

11.18 (d) When reporting student performance under section 120B.36, subdivision 1, the  
11.19 commissioner annually, beginning July 1, 2014, must report summary data on school  
11.20 safety and students' engagement and connection at school. The summary data under this  
11.21 paragraph are separate from and must not be used for any purpose related to measuring  
11.22 or evaluating the performance of classroom teachers. The commissioner, in consultation  
11.23 with qualified experts on student engagement and connection and classroom teachers,  
11.24 must identify highly reliable variables that generate summary data under this paragraph.  
11.25 The summary data may be used at school, district, and state levels only. Any data on  
11.26 individuals received, collected, or created that are used to generate the summary data  
11.27 under this paragraph are nonpublic data under section 13.02, subdivision 9.

11.28 (e) For purposes of statewide educational accountability, the commissioner must  
11.29 identify and report measures that demonstrate the success of learning year program  
11.30 providers under sections 123A.05 and 124D.68, among other such providers, in improving  
11.31 students' graduation outcomes. The commissioner, beginning July 1, 2015, must annually  
11.32 report summary data on:

11.33 (1) the four- and six-year graduation rates of students under this paragraph;

11.34 (2) the percent of students under this paragraph whose progress and performance  
11.35 levels are meeting career and college readiness benchmarks under section 120B.30,  
11.36 subdivision 1; and

- 12.1 (3) the success that learning year program providers experience in:
- 12.2 (i) identifying at-risk and off-track student populations by grade;
- 12.3 (ii) providing successful prevention and intervention strategies for at-risk students;
- 12.4 (iii) providing successful recuperative and recovery or reenrollment strategies for
- 12.5 off-track students; and
- 12.6 (iv) improving the graduation outcomes of at-risk and off-track students.

12.7 The commissioner may include in the annual report summary data on other education

12.8 providers serving a majority of students eligible to participate in a learning year program.

- 12.9 (f) The commissioner, in consultation with recognized experts with knowledge and
- 12.10 experience in assessing the language proficiency and academic performance of English
- 12.11 learners, must identify and report appropriate and effective measures to improve current
- 12.12 categories of language difficulty and assessments, monitor and report data on students'
- 12.13 English proficiency levels, program placement, and academic language development,
- 12.14 including oral academic language.

12.15 Sec. 7. Minnesota Statutes 2013 Supplement, section 120B.36, subdivision 1, is

12.16 amended to read:

12.17 Subdivision 1. **School performance reports.** (a) The commissioner shall report

12.18 student academic performance under section 120B.35, subdivision 2; the percentages of

12.19 students showing low, medium, and high growth under section 120B.35, subdivision

12.20 3, paragraph (b); school safety and student engagement and connection under section

12.21 120B.35, subdivision 3, paragraph (d); rigorous coursework under section 120B.35,

12.22 subdivision 3, paragraph (c); the percentage of students under section 120B.35,

12.23 subdivision 3, paragraph (b), clause (2), whose progress and performance levels are

12.24 meeting career and college readiness benchmarks under sections 120B.30, subdivision 1,

12.25 and 120B.35, subdivision 3, paragraph (e); longitudinal data on the progress of eligible

12.26 districts in reducing disparities in students' academic achievement and realizing racial and

12.27 economic integration under section 124D.861; the acquisition of English, and where

12.28 practicable, native language academic literacy, including oral academic language, and

12.29 the academic progress of English learners; two separate student-to-teacher ratios that

12.30 clearly indicate the definition of teacher consistent with sections 122A.06 and 122A.15

12.31 for purposes of determining these ratios; staff characteristics excluding salaries; student

12.32 enrollment demographics; district mobility; and extracurricular activities. The report also

12.33 must indicate a school's adequate yearly progress status under applicable federal law,

12.34 and must not set any designations applicable to high- and low-performing schools due

12.35 solely to adequate yearly progress status.

13.1 (b) The commissioner shall develop, annually update, and post on the department  
13.2 Web site school performance reports.

13.3 (c) The commissioner must make available performance reports by the beginning  
13.4 of each school year.

13.5 (d) A school or district may appeal its adequate yearly progress status in writing to  
13.6 the commissioner within 30 days of receiving the notice of its status. The commissioner's  
13.7 decision to uphold or deny an appeal is final.

13.8 (e) School performance data are nonpublic data under section 13.02, subdivision 9,  
13.9 until the commissioner publicly releases the data. The commissioner shall annually post  
13.10 school performance reports to the department's public Web site no later than September 1,  
13.11 except that in years when the reports reflect new performance standards, the commissioner  
13.12 shall post the school performance reports no later than October 1.

13.13 Sec. 8. Minnesota Statutes 2012, section 122A.06, subdivision 4, is amended to read:

13.14 Subd. 4. **Comprehensive, scientifically based reading instruction.** (a)  
13.15 "Comprehensive, scientifically based reading instruction" includes a program or collection  
13.16 of instructional practices that is based on valid, replicable evidence showing that when  
13.17 these programs or practices are used, students can be expected to achieve, at a minimum,  
13.18 satisfactory reading progress. The program or collection of practices must include, at a  
13.19 minimum, effective, balanced instruction in all five areas of reading: phonemic awareness,  
13.20 phonics, fluency, vocabulary development, and reading comprehension.

13.21 Comprehensive, scientifically based reading instruction also includes and integrates  
13.22 instructional strategies for continuously assessing, evaluating, and communicating  
13.23 the student's reading progress and needs in order to design and implement ongoing  
13.24 interventions so that students of all ages and proficiency levels can read and comprehend  
13.25 text, write, and apply higher level thinking skills. For English learners developing literacy  
13.26 skills, districts are encouraged to use strategies that teach reading and writing in the  
13.27 students' native language and English at the same time.

13.28 (b) "Fluency" is the ability of students to read text with speed, accuracy, and proper  
13.29 expression.

13.30 (c) "Phonemic awareness" is the ability of students to notice, think about, and  
13.31 manipulate individual sounds in spoken syllables and words.

13.32 (d) "Phonics" is the understanding that there are systematic and predictable  
13.33 relationships between written letters and spoken words. Phonics instruction is a way  
13.34 of teaching reading that stresses learning how letters correspond to sounds and how to  
13.35 apply this knowledge in reading and spelling.

14.1 (e) "Reading comprehension" is an active process that requires intentional thinking  
14.2 during which meaning is constructed through interactions between text and reader.  
14.3 Comprehension skills are taught explicitly by demonstrating, explaining, modeling, and  
14.4 implementing specific cognitive strategies to help beginning readers derive meaning  
14.5 through intentional, problem-solving thinking processes.

14.6 (f) "Vocabulary development" is the process of teaching vocabulary both directly  
14.7 and indirectly, with repetition and multiple exposures to vocabulary items. Learning in  
14.8 rich contexts, incidental learning, and use of computer technology enhance the acquiring  
14.9 of vocabulary.

14.10 (g) Nothing in this subdivision limits the authority of a school district to select a  
14.11 school's reading program or curriculum.

14.12 Sec. 9. Minnesota Statutes 2013 Supplement, section 122A.09, subdivision 4, is  
14.13 amended to read:

14.14 Subd. 4. **License and rules.** (a) The board must adopt rules to license public school  
14.15 teachers and interns subject to chapter 14.

14.16 (b) The board must adopt rules requiring a person to pass a skills examination in  
14.17 reading, writing, and mathematics as a requirement for initial teacher licensure, except  
14.18 that the board may issue up to two additional temporary, one-year teaching licenses to an  
14.19 otherwise qualified candidate who has not yet passed the skills exam. Such rules must  
14.20 require college and universities offering a board-approved teacher preparation program to  
14.21 provide remedial assistance to persons who did not achieve a qualifying score on the skills  
14.22 examination, including those for whom English is a second language.

14.23 (c) The board must adopt rules to approve teacher preparation programs. The board,  
14.24 upon the request of a postsecondary student preparing for teacher licensure or a licensed  
14.25 graduate of a teacher preparation program, shall assist in resolving a dispute between the  
14.26 person and a postsecondary institution providing a teacher preparation program when the  
14.27 dispute involves an institution's recommendation for licensure affecting the person or the  
14.28 person's credentials. At the board's discretion, assistance may include the application  
14.29 of chapter 14.

14.30 (d) The board must provide the leadership and adopt rules for the redesign of teacher  
14.31 education programs to implement a research based, results-oriented curriculum that  
14.32 focuses on the skills teachers need in order to be effective. The board shall implement new  
14.33 systems of teacher preparation program evaluation to assure program effectiveness based  
14.34 on proficiency of graduates in demonstrating attainment of program outcomes. Teacher  
14.35 preparation programs including alternative teacher preparation programs under section

15.1 122A.245, among other programs, must include a content-specific, board-approved,  
15.2 performance-based assessment that measures teacher candidates in three areas: planning  
15.3 for instruction and assessment; engaging students and supporting learning; and assessing  
15.4 student learning.

15.5 (e) The board must adopt rules requiring candidates for initial licenses to pass an  
15.6 examination of general pedagogical knowledge and examinations of licensure-specific  
15.7 teaching skills. The rules shall be effective by September 1, 2001. The rules under this  
15.8 paragraph also must require candidates for initial licenses to teach prekindergarten or  
15.9 elementary students to pass, as part of the examination of licensure-specific teaching  
15.10 skills, test items assessing the candidates' knowledge, skill, and ability in comprehensive,  
15.11 scientifically based reading instruction under section 122A.06, subdivision 4, and their  
15.12 knowledge and understanding of the foundations of reading development, the development  
15.13 of reading comprehension, and reading assessment and instruction, and their ability to  
15.14 integrate that knowledge and understanding.

15.15 (f) The board must adopt rules requiring teacher educators to work directly with  
15.16 elementary or secondary school teachers in elementary or secondary schools to obtain  
15.17 periodic exposure to the elementary or secondary teaching environment.

15.18 (g) The board must grant licenses to interns and to candidates for initial licenses  
15.19 based on appropriate professional competencies that are aligned with the board's licensing  
15.20 system and students' diverse learning needs. All teacher candidates must have preparation  
15.21 in English language development and content instruction for English learners in order to be  
15.22 able to effectively instruct the English learners in their classrooms. The board must include  
15.23 these licenses in a statewide differentiated licensing system that creates new leadership  
15.24 roles for successful experienced teachers premised on a collaborative professional culture  
15.25 dedicated to meeting students' diverse learning needs in the 21st century, recognizes the  
15.26 importance of cultural and linguistic competencies, including the ability to teach and  
15.27 communicate in culturally competent and aware ways, and formalizes mentoring and  
15.28 induction for newly licensed teachers ~~that is~~ provided through a teacher support framework.

15.29 (h) The board must design and implement an assessment system which requires a  
15.30 candidate for an initial license and first continuing license to demonstrate the abilities  
15.31 necessary to perform selected, representative teaching tasks at appropriate levels.

15.32 (i) The board must receive recommendations from local committees as established  
15.33 by the board for the renewal of teaching licenses. The board must require licensed teachers  
15.34 who are renewing a continuing license to include in the renewal requirements further  
15.35 preparation in English language development and specially designed content instruction  
15.36 in English for English learners.

16.1 (j) The board must grant life licenses to those who qualify according to requirements  
16.2 established by the board, and suspend or revoke licenses pursuant to sections 122A.20 and  
16.3 214.10. The board must not establish any expiration date for application for life licenses.

16.4 (k) The board must adopt rules that require all licensed teachers who are renewing  
16.5 their continuing license to include in their renewal requirements further preparation in  
16.6 the areas of using positive behavior interventions and in accommodating, modifying, and  
16.7 adapting curricula, materials, and strategies to appropriately meet the needs of individual  
16.8 students and ensure adequate progress toward the state's graduation rule.

16.9 (l) In adopting rules to license public school teachers who provide health-related  
16.10 services for disabled children, the board shall adopt rules consistent with license or  
16.11 registration requirements of the commissioner of health and the health-related boards who  
16.12 license personnel who perform similar services outside of the school.

16.13 (m) The board must adopt rules that require all licensed teachers who are renewing  
16.14 their continuing license to include in their renewal requirements further reading  
16.15 preparation, consistent with section 122A.06, subdivision 4. The rules do not take effect  
16.16 until they are approved by law. Teachers who do not provide direct instruction including, at  
16.17 least, counselors, school psychologists, school nurses, school social workers, audiovisual  
16.18 directors and coordinators, and recreation personnel are exempt from this section.

16.19 (n) The board must adopt rules that require all licensed teachers who are renewing  
16.20 their continuing license to include in their renewal requirements further preparation,  
16.21 first, in understanding the key warning signs of early-onset mental illness in children  
16.22 and adolescents and then, during subsequent licensure renewal periods, preparation may  
16.23 include providing a more in-depth understanding of students' mental illness trauma,  
16.24 accommodations for students' mental illness, parents' role in addressing students' mental  
16.25 illness, Fetal Alcohol Spectrum Disorders, autism, the requirements of section 125A.0942  
16.26 governing restrictive procedures, and de-escalation methods, among other similar topics.

16.27 **EFFECTIVE DATE.** This section is effective August 1, 2015, and applies to  
16.28 individuals entering a teacher preparation program after that date.

16.29 Sec. 10. Minnesota Statutes 2012, section 122A.14, subdivision 2, is amended to read:

16.30 Subd. 2. **Preparation programs.** The board shall review and approve or  
16.31 disapprove preparation programs for school administrators and alternative preparation  
16.32 programs for administrators under section 122A.27, and must consider other alternative  
16.33 competency-based preparation programs leading to licensure. Among other requirements,  
16.34 preparation programs must include instruction on meeting the varied needs of English



17.1 learners, from young children to adults, in English and, where practicable, in students'  
17.2 native language.

17.3 **EFFECTIVE DATE.** This section is effective August 1, 2015, and applies to  
17.4 individuals entering a school administrator preparation program after that date.

17.5 Sec. 11. Minnesota Statutes 2012, section 122A.14, subdivision 3, is amended to read:

17.6 Subd. 3. **Rules for continuing education requirements.** The board shall  
17.7 adopt rules establishing continuing education requirements that promote continuous  
17.8 improvement and acquisition of new and relevant skills by school administrators.  
17.9 Continuing education programs, among other things, must provide school administrators  
17.10 with information and training about building coherent and effective English learner  
17.11 strategies that include relevant professional development, accountability for student  
17.12 progress, students' access to the general curriculum, and sufficient staff capacity to effect  
17.13 these strategies. A retired school principal who serves as a substitute principal or assistant  
17.14 principal for the same person on a day-to-day basis for no more than 15 consecutive  
17.15 school days is not subject to continuing education requirements as a condition of serving  
17.16 as a substitute principal or assistant principal.

17.17 **EFFECTIVE DATE.** This section is effective August 1, 2015, and applies to school  
17.18 administrators renewing an administrator's license after that date.

17.19 Sec. 12. Minnesota Statutes 2013 Supplement, section 122A.18, subdivision 2, is  
17.20 amended to read:

17.21 Subd. 2. **Teacher and support personnel qualifications.** (a) The Board of  
17.22 Teaching must issue licenses under its jurisdiction to persons the board finds to be  
17.23 qualified and competent for their respective positions.

17.24 (b) The board must require a person to pass an examination of skills in reading,  
17.25 writing, and mathematics before being granted an initial teaching license to provide direct  
17.26 instruction to pupils in prekindergarten, elementary, secondary, or special education  
17.27 programs, except that the board may issue up to two additional temporary, one-year  
17.28 teaching licenses to an otherwise qualified candidate who has not yet passed the skills  
17.29 exam. The board must require colleges and universities offering a board approved teacher  
17.30 preparation program to make available upon request remedial assistance that includes a  
17.31 formal diagnostic component to persons enrolled in their institution who did not achieve a  
17.32 qualifying score on the skills examination, including those for whom English is a second  
17.33 language. The colleges and universities must make available assistance in the specific

18.1 academic areas of deficiency in which the person did not achieve a qualifying score.  
18.2 School districts may make available upon request similar, appropriate, and timely remedial  
18.3 assistance that includes a formal diagnostic component to those persons employed by the  
18.4 district who completed their teacher education program, who did not achieve a qualifying  
18.5 score on the skills examination, including those persons for whom English is a second  
18.6 language and persons under section 122A.23, subdivision 2, paragraph (h), who completed  
18.7 their teacher's education program outside the state of Minnesota, and who received a  
18.8 temporary license to teach in Minnesota. The Board of Teaching shall report annually  
18.9 to the education committees of the legislature on the total number of teacher candidates  
18.10 during the most recent school year taking the skills examination, the number who achieve  
18.11 a qualifying score on the examination, the number who do not achieve a qualifying score  
18.12 on the examination, the distribution of all candidates' scores, the number of candidates  
18.13 who have taken the examination at least once before, and the number of candidates who  
18.14 have taken the examination at least once before and achieve a qualifying score.

18.15 (c) The Board of Teaching must grant continuing licenses only to those persons who  
18.16 have met board criteria for granting a continuing license, which includes passing the  
18.17 skills examination in reading, writing, and mathematics consistent with paragraph (b) and  
18.18 section 122A.09, subdivision 4, paragraph (b).

18.19 (d) All colleges and universities approved by the board of teaching to prepare persons  
18.20 for teacher licensure must include in their teacher preparation programs a common core  
18.21 of teaching knowledge and skills to be acquired by all persons recommended for teacher  
18.22 licensure. Among other requirements, teacher candidates must demonstrate the knowledge  
18.23 and skills needed to provide appropriate instruction to English learners to support and  
18.24 accelerate their academic literacy, including oral academic language, and achievement in  
18.25 content areas in a regular classroom setting. This common core shall meet the standards  
18.26 developed by the interstate new teacher assessment and support consortium in its 1992  
18.27 "model standards for beginning teacher licensing and development." Amendments to  
18.28 standards adopted under this paragraph are covered by chapter 14. The board of teaching  
18.29 shall report annually to the education committees of the legislature on the performance  
18.30 of teacher candidates on common core assessments of knowledge and skills under this  
18.31 paragraph during the most recent school year.

18.32 **EFFECTIVE DATE.** This section is effective August 1, 2015, and applies to  
18.33 individuals entering a teacher preparation program after that date.

18.34 Sec. 13. Minnesota Statutes 2012, section 122A.18, subdivision 2a, is amended to read:

19.1 Subd. 2a. **Reading strategies.** (a) All colleges and universities approved by the  
19.2 Board of Teaching to prepare persons for classroom teacher licensure must include in  
19.3 their teacher preparation programs research-based best practices in reading, consistent  
19.4 with section 122A.06, subdivision 4, that enable the licensure candidate to know how to  
19.5 teach reading in the candidate's content areas. Teacher candidates must be instructed  
19.6 in using students' native languages as a resource in creating effective differentiated  
19.7 instructional strategies for English learners developing literacy skills. These colleges and  
19.8 universities also must prepare candidates for initial licenses to teach prekindergarten or  
19.9 elementary students for the assessment of reading instruction portion of the examination  
19.10 of licensure-specific teaching skills under section 122A.09, subdivision 4, paragraph (e).

19.11 (b) Board-approved teacher preparation programs for teachers of elementary  
19.12 education must require instruction in the application of comprehensive, scientifically  
19.13 based, and balanced reading instruction programs that:

19.14 (1) teach students to read using foundational knowledge, practices, and strategies  
19.15 consistent with section 122A.06, subdivision 4, so that all students will achieve continuous  
19.16 progress in reading; and

19.17 (2) teach specialized instruction in reading strategies, interventions, and remediations  
19.18 that enable students of all ages and proficiency levels to become proficient readers.

19.19 (c) Nothing in this section limits the authority of a school district to select a school's  
19.20 reading program or curriculum.

19.21 **EFFECTIVE DATE.** This section is effective August 1, 2015, and applies to  
19.22 individuals entering a teacher preparation program after that date.

19.23 Sec. 14. Minnesota Statutes 2012, section 122A.18, subdivision 4, is amended to read:

19.24 Subd. 4. **Expiration and renewal.** (a) Each license the Department of Education  
19.25 issues through its licensing section must bear the date of issue. Licenses must expire  
19.26 and be renewed according to the respective rules the Board of Teaching, the Board  
19.27 of School Administrators, or the commissioner of education adopts. Requirements for  
19.28 renewing a license must include showing satisfactory evidence of successful teaching or  
19.29 administrative experience for at least one school year during the period covered by the  
19.30 license in grades or subjects for which the license is valid or completing such additional  
19.31 preparation as the Board of Teaching prescribes. The Board of School Administrators  
19.32 shall establish requirements for renewing the licenses of supervisory personnel except  
19.33 athletic coaches. The State Board of Teaching shall establish requirements for renewing  
19.34 the licenses of athletic coaches.

20.1 (b) Relicensure applicants who have been employed as a teacher during the renewal  
 20.2 period of their expiring license, as a condition of relicensure, must present to their local  
 20.3 continuing education and relicensure committee or other local relicensure committee  
 20.4 evidence of work that demonstrates professional reflection and growth in best teaching  
 20.5 practices, including among other things, practices in meeting the varied needs of English  
 20.6 learners, from young children to adults. The applicant must include a reflective statement  
 20.7 of professional accomplishment and the applicant's own assessment of professional  
 20.8 growth showing evidence of:

20.9 (1) support for student learning;

20.10 (2) use of best practices techniques and their applications to student learning;

20.11 (3) collaborative work with colleagues that includes examples of collegiality such as  
 20.12 attested-to committee work, collaborative staff development programs, and professional  
 20.13 learning community work; or

20.14 (4) continual professional development that may include (i) job-embedded or other  
 20.15 ongoing formal professional learning or (ii) for teachers employed for only part of the  
 20.16 renewal period of their expiring license, other similar professional development efforts  
 20.17 made during the relicensure period.

20.18 The Board of Teaching must ensure that its teacher relicensing requirements also include  
 20.19 this paragraph.

20.20 (c) The Board of Teaching shall offer alternative continuing relicensure options for  
 20.21 teachers who are accepted into and complete the National Board for Professional Teaching  
 20.22 Standards certification process, and offer additional continuing relicensure options for  
 20.23 teachers who earn National Board for Professional Teaching Standards certification.  
 20.24 Continuing relicensure requirements for teachers who do not maintain National Board for  
 20.25 Professional Teaching Standards certification are those the board prescribes, consistent  
 20.26 with this section.

20.27 **EFFECTIVE DATE.** This section is effective August 1, 2015, and applies to  
 20.28 licensed teachers renewing a teaching license after that date.

20.29 Sec. 15. Minnesota Statutes 2012, section 122A.19, is amended to read:

20.30 **122A.19 BILINGUAL AND ENGLISH AS A SECOND LANGUAGE**  
 20.31 **TEACHERS; LICENSES.**

20.32 Subdivision 1. **Bilingual and English as a second language licenses.** The Board of  
 20.33 Teaching, hereinafter the board, must grant teaching licenses in bilingual education and  
 20.34 English as a second language to persons who present satisfactory evidence that they:

- 21.1 (a) Possess competence and communicative skills in English and in another language;
- 21.2 (b) Possess a bachelor's degree or other academic degree approved by the board,
- 21.3 and meet such requirements as to course of study and training as the board may prescribe,
- 21.4 consistent with subdivision 4.

21.5 Subd. 2. **Persons holding general teaching licenses.** The board may license a

21.6 person holding who holds a general teaching license and who presents the board with

21.7 satisfactory evidence of competence and communicative skills in a language other than

21.8 English may be licensed under this section.

21.9 Subd. 3. **Employment of teachers.** ~~Teachers employed in a bilingual education~~

21.10 ~~or English as a second language program established pursuant to sections 124D.58 to~~

21.11 ~~124D.64 shall not be employed to replace any presently employed teacher who otherwise~~

21.12 ~~would not be replaced.~~

21.13 Subd. 4. **Teacher preparation programs.** For the purpose of licensing bilingual

21.14 and English as a second language teachers, the board may approve programs at colleges

21.15 or universities designed for their training. These programs must provide instruction in

21.16 implementing research-based practices designed specifically for English learners. The

21.17 programs must focus on developing English learners' academic language proficiency in

21.18 English, including oral academic language, giving English learners meaningful access to

21.19 the full school curriculum, developing culturally relevant teaching practices appropriate

21.20 for immigrant students, and providing more intensive instruction and resources to English

21.21 learners with lower levels of academic English proficiency and varied needs.

21.22 Subd. 5. **Persons eligible for employment.** Any person licensed under this section

21.23 ~~shall be~~ is eligible for employment by a school board as a teacher in a bilingual education

21.24 or English as a second language program in which the language for which the person is

21.25 licensed is taught or used as a medium of instruction. A board may prescribe only those

21.26 additional qualifications for teachers licensed under this section as that are approved

21.27 by the board of teaching.

21.28 Subd. 6. **Affirmative efforts in hiring.** In hiring for all ~~positions in~~ bilingual

21.29 education ~~programs~~ program positions, districts must give preference to and make

21.30 affirmative efforts to seek, recruit, and employ persons who (a) are ~~(a)~~ native speakers of

21.31 the language which is the medium of instruction in the bilingual education program or share

21.32 a native language with the majority of their students, and (b) ~~who~~ share the culture of the

21.33 English learners ~~who are~~ enrolled in the program. The district shall provide procedures for

21.34 ~~the involvement of~~ involving the parent advisory committees in designing the procedures

21.35 ~~for the recruitment~~ recruiting, screening, and ~~selection of~~ selecting applicants. This section

21.36 must not be construed to limit the school board's authority to hire and discharge personnel.

22.1 **EFFECTIVE DATE.** Subdivisions 1, 2, 5, and 6 are effective August 1, 2015.  
22.2 Subdivision 3 is effective the day following final enactment. Subdivision 4 is effective  
22.3 August 1, 2015, and applies to an individual entering a teacher preparation program after  
22.4 that date.

22.5 Sec. 16. Minnesota Statutes 2013 Supplement, section 122A.40, subdivision 8, is  
22.6 amended to read:

22.7 Subd. 8. **Development, evaluation, and peer coaching for continuing contract**  
22.8 **teachers.** (a) To improve student learning and success, a school board and an exclusive  
22.9 representative of the teachers in the district, consistent with paragraph (b), may develop  
22.10 a teacher evaluation and peer review process for probationary and continuing contract  
22.11 teachers through joint agreement. If a school board and the exclusive representative of the  
22.12 teachers do not agree to an annual teacher evaluation and peer review process, then the  
22.13 school board and the exclusive representative of the teachers must implement the plan  
22.14 for evaluation and review under paragraph (c). The process must include having trained  
22.15 observers serve as peer coaches or having teachers participate in professional learning  
22.16 communities, consistent with paragraph (b).

22.17 (b) To develop, improve, and support qualified teachers and effective teaching  
22.18 practices and improve student learning and success, the annual evaluation process for  
22.19 teachers:

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

22.22 (2) must establish a three-year professional review cycle for each teacher that  
22.23 includes an individual growth and development plan, a peer review process, the  
22.24 opportunity to participate in a professional learning community under paragraph (a), and  
22.25 at least one summative evaluation performed by a qualified and trained evaluator such as a  
22.26 school administrator. For the years when a tenured teacher is not evaluated by a qualified  
22.27 and trained evaluator, the teacher must be evaluated by a peer review;

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

22.29 (4) must coordinate staff development activities under sections 122A.60 and  
22.30 122A.61 with this evaluation process and teachers' evaluation outcomes;

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

22.33 (6) may include mentoring and induction programs;

22.34 (7) must include an option for teachers to develop and present a portfolio  
22.35 demonstrating evidence of reflection and professional growth, consistent with section

23.1 122A.18, subdivision 4, paragraph (b), and include teachers' own performance assessment  
23.2 based on student work samples and examples of teachers' work, which may include video  
23.3 among other activities for the summative evaluation;

23.4 (8) must use data from valid and reliable assessments aligned to state and local  
23.5 academic standards and must use state and local measures of student growth and literacy  
23.6 that may include value-added models or student learning goals to determine 35 percent of  
23.7 teacher evaluation results;

23.8 (9) must use longitudinal data on student engagement and connection, the academic  
23.9 literacy, including oral academic language, and achievement of content areas of English  
23.10 learners, and other student outcome measures explicitly aligned with the elements of  
23.11 curriculum for which teachers are responsible;

23.12 (10) must require qualified and trained evaluators such as school administrators to  
23.13 perform summative evaluations;

23.14 (11) must give teachers not meeting professional teaching standards under clauses  
23.15 (3) through (10) support to improve through a teacher improvement process that includes  
23.16 established goals and timelines; and

23.17 (12) must discipline a teacher for not making adequate progress in the teacher  
23.18 improvement process under clause (11) that may include a last chance warning,  
23.19 termination, discharge, nonrenewal, transfer to a different position, a leave of absence, or  
23.20 other discipline a school administrator determines is appropriate.

23.21 Data on individual teachers generated under this subdivision are personnel data  
23.22 under section 13.43.

23.23 (c) The department, in consultation with parents who may represent parent  
23.24 organizations and teacher and administrator representatives appointed by their respective  
23.25 organizations, representing the Board of Teaching, the Minnesota Association of School  
23.26 Administrators, the Minnesota School Boards Association, the Minnesota Elementary  
23.27 and Secondary Principals Associations, Education Minnesota, and representatives of  
23.28 the Minnesota Assessment Group, the Minnesota Business Partnership, the Minnesota  
23.29 Chamber of Commerce, and Minnesota postsecondary institutions with research expertise  
23.30 in teacher evaluation, must create and publish a teacher evaluation process that complies  
23.31 with the requirements in paragraph (b) and applies to all teachers under this section and  
23.32 section 122A.41 for whom no agreement exists under paragraph (a) for an annual teacher  
23.33 evaluation and peer review process. The teacher evaluation process created under this  
23.34 subdivision does not create additional due process rights for probationary teachers under  
23.35 subdivision 5.

24.1 Sec. 17. Minnesota Statutes 2013 Supplement, section 122A.41, subdivision 5, is  
24.2 amended to read:

24.3 Subd. 5. **Development, evaluation, and peer coaching for continuing contract**  
24.4 **teachers.** (a) To improve student learning and success, a school board and an exclusive  
24.5 representative of the teachers in the district, consistent with paragraph (b), may develop an  
24.6 annual teacher evaluation and peer review process for probationary and nonprobationary  
24.7 teachers through joint agreement. If a school board and the exclusive representative of  
24.8 the teachers in the district do not agree to an annual teacher evaluation and peer review  
24.9 process, then the school board and the exclusive representative of the teachers must  
24.10 implement the plan for evaluation and review developed under paragraph (c). The process  
24.11 must include having trained observers serve as peer coaches or having teachers participate  
24.12 in professional learning communities, consistent with paragraph (b).

24.13 (b) To develop, improve, and support qualified teachers and effective teaching  
24.14 practices and improve student learning and success, the annual evaluation process for  
24.15 teachers:

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

24.18 (2) must establish a three-year professional review cycle for each teacher that  
24.19 includes an individual growth and development plan, a peer review process, the  
24.20 opportunity to participate in a professional learning community under paragraph (a), and  
24.21 at least one summative evaluation performed by a qualified and trained evaluator such  
24.22 as a school administrator;

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

24.24 (4) must coordinate staff development activities under sections 122A.60 and  
24.25 122A.61 with this evaluation process and teachers' evaluation outcomes;

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

24.28 (6) may include mentoring and induction programs;

24.29 (7) must include an option for teachers to develop and present a portfolio  
24.30 demonstrating evidence of reflection and professional growth, consistent with section  
24.31 122A.18, subdivision 4, paragraph (b), and include teachers' own performance assessment  
24.32 based on student work samples and examples of teachers' work, which may include video  
24.33 among other activities for the summative evaluation;

24.34 (8) must use data from valid and reliable assessments aligned to state and local  
24.35 academic standards and must use state and local measures of student growth and literacy



25.1 that may include value-added models or student learning goals to determine 35 percent of  
25.2 teacher evaluation results;

25.3 (9) must use longitudinal data on student engagement and connection, the academic  
25.4 literacy, including oral academic language, and achievement of English learners, and  
25.5 other student outcome measures explicitly aligned with the elements of curriculum for  
25.6 which teachers are responsible;

25.7 (10) must require qualified and trained evaluators such as school administrators to  
25.8 perform summative evaluations;

25.9 (11) must give teachers not meeting professional teaching standards under clauses  
25.10 (3) through (10) support to improve through a teacher improvement process that includes  
25.11 established goals and timelines; and

25.12 (12) must discipline a teacher for not making adequate progress in the teacher  
25.13 improvement process under clause (11) that may include a last chance warning,  
25.14 termination, discharge, nonrenewal, transfer to a different position, a leave of absence, or  
25.15 other discipline a school administrator determines is appropriate.

25.16 Data on individual teachers generated under this subdivision are personnel data  
25.17 under section 13.43.

25.18 (c) The department, in consultation with parents who may represent parent  
25.19 organizations and teacher and administrator representatives appointed by their respective  
25.20 organizations, representing the Board of Teaching, the Minnesota Association of School  
25.21 Administrators, the Minnesota School Boards Association, the Minnesota Elementary  
25.22 and Secondary Principals Associations, Education Minnesota, and representatives of  
25.23 the Minnesota Assessment Group, the Minnesota Business Partnership, the Minnesota  
25.24 Chamber of Commerce, and Minnesota postsecondary institutions with research expertise  
25.25 in teacher evaluation, must create and publish a teacher evaluation process that complies  
25.26 with the requirements in paragraph (b) and applies to all teachers under this section and  
25.27 section 122A.40 for whom no agreement exists under paragraph (a) for an annual teacher  
25.28 evaluation and peer review process. The teacher evaluation process created under this  
25.29 subdivision does not create additional due process rights for probationary teachers under  
25.30 subdivision 2.

25.31 Sec. 18. Minnesota Statutes 2012, section 122A.413, subdivision 2, is amended to read:

25.32 Subd. 2. **Plan components.** The educational improvement plan must be approved  
25.33 by the school board and have at least these elements:

- 26.1 (1) assessment and evaluation tools to measure student performance and progress,  
 26.2 including the academic literacy, oral academic language, and achievement of English  
 26.3 learners, among other measures;
- 26.4 (2) performance goals and benchmarks for improvement;
- 26.5 (3) measures of student attendance and completion rates;
- 26.6 (4) a rigorous research and practice-based professional development system, based  
 26.7 on national and state standards of effective teaching practice applicable to all students  
 26.8 including English learners with varied needs, and consistent with section 122A.60, that is  
 26.9 aligned with educational improvement and designed to achieve ongoing and schoolwide  
 26.10 progress and growth in teaching practice;
- 26.11 (5) measures of student, family, and community involvement and satisfaction;
- 26.12 (6) a data system about students and their academic progress that provides parents  
 26.13 and the public with understandable information;
- 26.14 (7) a teacher induction and mentoring program for probationary teachers that  
 26.15 provides continuous learning and sustained teacher support; and
- 26.16 (8) substantial participation by the exclusive representative of the teachers in  
 26.17 developing the plan.

26.18 **EFFECTIVE DATE.** This section is effective August 1, 2014, and applies to plans  
 26.19 approved after that date.

26.20 Sec. 19. Minnesota Statutes 2012, section 122A.414, subdivision 2, is amended to read:

26.21 Subd. 2. **Alternative teacher professional pay system.** (a) To participate in this  
 26.22 program, a school district, intermediate school district, school site, or charter school must  
 26.23 have an educational improvement plan under section 122A.413 and an alternative teacher  
 26.24 professional pay system agreement under paragraph (b). A charter school participant also  
 26.25 must comply with subdivision 2a.

26.26 (b) The alternative teacher professional pay system agreement must:

26.27 (1) describe how teachers can achieve career advancement and additional  
 26.28 compensation;

26.29 (2) describe how the school district, intermediate school district, school site, or  
 26.30 charter school will provide teachers with career advancement options that allow teachers  
 26.31 to retain primary roles in student instruction and facilitate site-focused professional  
 26.32 development that helps other teachers improve their skills;

26.33 (3) reform the "steps and lanes" salary schedule, prevent any teacher's compensation  
 26.34 paid before implementing the pay system from being reduced as a result of participating

27.1 in this system, and base at least 60 percent of any compensation increase on teacher  
27.2 performance using:

27.3 (i) schoolwide student achievement gains under section 120B.35 or locally selected  
27.4 standardized assessment outcomes, or both;

27.5 (ii) measures of student achievement including the academic literacy, oral academic  
27.6 language, and achievement of English learners, among other measures; and

27.7 (iii) an objective evaluation program that includes:

27.8 (A) individual teacher evaluations aligned with the educational improvement plan  
27.9 under section 122A.413 and the staff development plan under section 122A.60; and

27.10 (B) objective evaluations using multiple criteria conducted by a locally selected and  
27.11 periodically trained evaluation team that understands teaching and learning;

27.12 (4) provide integrated ongoing site-based professional development activities to  
27.13 improve instructional skills and learning that are aligned with student needs under section  
27.14 122A.413, consistent with the staff development plan under section 122A.60 and led  
27.15 during the school day by trained teacher leaders such as master or mentor teachers;

27.16 (5) allow any teacher in a participating school district, intermediate school district,  
27.17 school site, or charter school that implements an alternative pay system to participate in  
27.18 that system without any quota or other limit; and

27.19 (6) encourage collaboration rather than competition among teachers.

27.20 **EFFECTIVE DATE.** This section is effective August 1, 2014, and applies to  
27.21 agreements approved after that date.

27.22 Sec. 20. Minnesota Statutes 2012, section 122A.60, subdivision 1a, is amended to read:

27.23 Subd. 1a. **Effective staff development activities.** (a) Staff development activities  
27.24 must:

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

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

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

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

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

28.1 (6) provide opportunities to build professional relationships, foster collaboration  
 28.2 among principals and staff who provide instruction, and provide opportunities for  
 28.3 teacher-to-teacher mentoring; ~~and~~

28.4 (7) align with the plan of the district or site for an alternative teacher professional  
 28.5 pay system; and

28.6 (8) provide teachers of English learners, including English as a second language and  
 28.7 content teachers, with differentiated instructional strategies critical for ensuring students'  
 28.8 long-term academic success, the means to effectively use assessment data on the academic  
 28.9 literacy, oral academic language, and English language development of English learners,  
 28.10 and skills to support native and English language development across the curriculum.

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

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

28.21 Sec. 21. Minnesota Statutes 2012, section 122A.60, subdivision 2, is amended to read:

28.22 Subd. 2. **Contents of plan.** The plan must include the staff development outcomes  
 28.23 under subdivision 3, the means to achieve the outcomes, and procedures for evaluating  
 28.24 progress at each school site toward meeting education outcomes, consistent with  
 28.25 relicensure requirements under section 122A.18, subdivision 4. The plan also must:

28.26 (1) support stable and productive professional communities achieved through  
 28.27 ongoing and schoolwide progress and growth in teaching practice;

28.28 (2) emphasize coaching, professional learning communities, classroom action  
 28.29 research, and other job-embedded models;

28.30 (3) maintain a strong subject matter focus premised on students' learning goals;

28.31 (4) ensure specialized preparation and learning about issues related to teaching  
 28.32 English learners and students with special needs by focusing on long-term systemic efforts  
 28.33 to improve educational services and opportunities and raise student achievement; and

28.34 (5) reinforce national and state standards of effective teaching practice.

29.1 Sec. 22. Minnesota Statutes 2012, section 122A.60, subdivision 3, is amended to read:

29.2 Subd. 3. **Staff development outcomes.** The advisory staff development committee  
29.3 must adopt a staff development plan for improving student achievement. The plan must  
29.4 be consistent with education outcomes that the school board determines. The plan  
29.5 must include ongoing staff development activities that contribute toward continuous  
29.6 improvement in achievement of the following goals:

29.7 (1) improve student achievement of state and local education standards in all areas  
29.8 of the curriculum by using research-based best practices methods;

29.9 (2) effectively meet the needs of a diverse student population, including at-risk  
29.10 children, children with disabilities, English learners, and gifted children, within the  
29.11 regular classroom and other settings;

29.12 (3) provide an inclusive curriculum for a racially, ethnically, linguistically, and  
29.13 culturally diverse student population that is consistent with the state education diversity  
29.14 rule and the district's education diversity plan;

29.15 (4) improve staff collaboration and develop mentoring and peer coaching programs  
29.16 for teachers new to the school or district;

29.17 (5) effectively teach and model violence prevention policy and curriculum that  
29.18 address early intervention alternatives, issues of harassment, and teach nonviolent  
29.19 alternatives for conflict resolution;

29.20 (6) effectively deliver digital and blended learning and curriculum and engage  
29.21 students with technology; and

29.22 (7) provide teachers and other members of site-based management teams with  
29.23 appropriate management and financial management skills.

29.24 Sec. 23. Minnesota Statutes 2012, section 122A.68, subdivision 3, is amended to read:

29.25 Subd. 3. **Program components.** In order to be approved by the Board of Teaching,  
29.26 a school district's residency program must at minimum include:

29.27 (1) training to prepare teachers to serve as mentors to teaching residents;

29.28 (2) a team mentorship approach to expose teaching residents to a variety of  
29.29 teaching methods, philosophies, and classroom environments that includes differentiated  
29.30 instructional strategies, effective use of student achievement data, and support for native  
29.31 and English language development across the curriculum and grade levels, among other  
29.32 things;

29.33 (3) ongoing peer coaching and assessment;

29.34 (4) assistance to the teaching resident in preparing an individual professional  
29.35 development plan that includes goals, activities, and assessment methodologies; and

30.1 (5) collaboration with one or more teacher education institutions, career teachers,  
 30.2 and other community experts to provide local or regional professional development  
 30.3 seminars or other structured learning experiences for teaching residents.

30.4 A teaching resident's direct classroom supervision responsibilities shall not exceed  
 30.5 80 percent of the instructional time required of a full-time equivalent teacher in the  
 30.6 district. During the time a resident does not supervise a class, the resident shall participate  
 30.7 in professional development activities according to the individual plan developed by the  
 30.8 resident in conjunction with the school's mentoring team. Examples of development  
 30.9 activities include observing other teachers, sharing experiences with other teaching  
 30.10 residents, and professional meetings and workshops.

30.11 Sec. 24. Minnesota Statutes 2012, section 122A.74, is amended to read:

30.12 **122A.74 PRINCIPALS' LEADERSHIP INSTITUTE.**

30.13 Subdivision 1. **Establishment.** (a) The commissioner of education may contract  
 30.14 with the regents of the University of Minnesota to establish a Principals' Leadership  
 30.15 Institute to provide professional development to school principals by:

30.16 (1) creating a network of leaders in the educational and business communities to  
 30.17 communicate current and future trends in leadership techniques;

30.18 (2) helping to create a vision for the school that is aligned with the community  
 30.19 and district priorities; ~~and~~

30.20 (3) developing strategies to retain highly qualified teachers and ensure that diverse  
 30.21 student populations, including at-risk students, children with disabilities, English learners,  
 30.22 and gifted students, among others, have equal access to these highly qualified teachers; and

30.23 (4) providing training to analyze data using culturally competent tools.

30.24 (b) The University of Minnesota must cooperate with participating members of the  
 30.25 business community to provide funding and content for the institute.

30.26 (c) Participants must agree to attend the Principals' Leadership Institute for four  
 30.27 weeks during the academic summer.

30.28 (d) The Principals' Leadership Institute must incorporate program elements offered  
 30.29 by leadership programs at the University of Minnesota and program elements used by  
 30.30 the participating members of the business community to enhance leadership within their  
 30.31 businesses.

30.32 Subd. 2. **Method of selection and requirements.** (a) The board of each school  
 30.33 district in the state may select a principal, upon the recommendation of the district's  
 30.34 superintendent and based on the principal's leadership potential, to attend the institute.

31.1 (b) The school board annually shall forward its list of recommended participants to  
31.2 the commissioner ~~of education~~ by February 1 ~~each year~~. In addition, a principal may submit  
31.3 an application directly to the commissioner by February 1. The commissioner ~~of education~~  
31.4 shall notify the school board, the principal candidates, and the University of Minnesota of  
31.5 the principals selected to participate in the Principals' Leadership Institute each year.

31.6 Sec. 25. Minnesota Statutes 2012, section 123A.06, subdivision 2, is amended to read:

31.7 Subd. 2. **People to be served.** A state-approved alternative program shall provide  
31.8 programs for secondary pupils and adults. A center may also provide programs and  
31.9 services for elementary and secondary pupils who are not attending the state-approved  
31.10 alternative program to assist them in being successful in school. A center shall use  
31.11 research-based best practices for serving English learners and their parents, taking into  
31.12 account the variations in students' backgrounds and needs and the amount of time and the  
31.13 staff resources necessary for students to overcome gaps in their education and to develop  
31.14 English proficiency and work-related skills. An individualized education program team  
31.15 may identify a state-approved alternative program as an appropriate placement to the  
31.16 extent a state-approved alternative program can provide the student with the appropriate  
31.17 special education services described in the student's plan. Pupils eligible to be served are  
31.18 those who qualify under the graduation incentives program in section 124D.68, subdivision  
31.19 2, those enrolled under section 124D.02, subdivision 2, or those pupils who are eligible to  
31.20 receive special education services under sections 125A.03 to 125A.24, and 125A.65.

31.21 Sec. 26. Minnesota Statutes 2012, section 123B.04, subdivision 4, is amended to read:

31.22 Subd. 4. **Achievement contract.** A school board may enter a written education site  
31.23 achievement contract with each site decision-making team for: (1) setting individualized  
31.24 learning and achievement measures and short- and long-term educational goals for each  
31.25 student at that site that may include site-based strategies for English language instruction  
31.26 targeting the teachers of English learners and all teachers and school administrators;  
31.27 (2) recognizing each student's educational needs and aptitudes and levels of academic  
31.28 attainment, whether on grade level or above or below grade level, so as to improve student  
31.29 performance through such means as a cost-effective, research-based formative assessment  
31.30 system designed to promote individualized learning and assessment; (3) using student  
31.31 performance data to diagnose a student's academic strengths and weaknesses and indicate  
31.32 to the student's teachers the specific skills and concepts that need to be introduced to  
31.33 the student and developed through academic instruction or applied learning, organized  
31.34 by strands within subject areas and linked to state and local academic standards during

32.1 the next year, consistent with the student's short- and long-term educational goals; and  
32.2 (4) assisting the education site if progress in achieving student or contract goals or other  
32.3 performance expectations or measures agreed to by the board and the site decision-making  
32.4 team are not realized or implemented.

32.5 Sec. 27. Minnesota Statutes 2012, section 123B.147, subdivision 3, is amended to read:

32.6 Subd. 3. **Duties; evaluation.** (a) The principal shall provide administrative,  
32.7 supervisory, and instructional leadership services, under the supervision of the  
32.8 superintendent of schools of the district and according to the policies, rules, and  
32.9 regulations of the school board, for the planning, management, operation, and evaluation  
32.10 of the education program of the building or buildings to which the principal is assigned.

32.11 (b) To enhance a principal's leadership skills and support and improve teaching  
32.12 practices, school performance, and student achievement for diverse student populations,  
32.13 including at-risk students, children with disabilities, English learners, and gifted students,  
32.14 among others, a district must develop and implement a performance-based system for  
32.15 annually evaluating school principals assigned to supervise a school building within the  
32.16 district. The evaluation must be designed to improve teaching and learning by supporting  
32.17 the principal in shaping the school's professional environment and developing teacher  
32.18 quality, performance, and effectiveness. The annual evaluation must:

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

32.22 (2) include formative and summative evaluations based on multiple measures of  
32.23 student progress toward career and college readiness;

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

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

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

32.32 (6) use longitudinal data on student academic growth as 35 percent of the evaluation  
32.33 and incorporate district achievement goals and targets;



33.1 (7) be linked to professional development that emphasizes improved teaching and  
33.2 learning, curriculum and instruction, student learning, and a collaborative professional  
33.3 culture; and

33.4 (8) for principals not meeting standards of professional practice or other criteria  
33.5 under this subdivision, implement a plan to improve the principal's performance and  
33.6 specify the procedure and consequence if the principal's performance is not improved.

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

33.10 Sec. 28. Minnesota Statutes 2012, section 124D.13, subdivision 2, is amended to read:

33.11 Subd. 2. **Program requirements.** (a) Early childhood family education programs  
33.12 are programs for children in the period of life from birth to kindergarten, for the parents  
33.13 and other relatives of these children, and for expectant parents. To the extent that funds  
33.14 are insufficient to provide programs for all children, early childhood family education  
33.15 programs should emphasize programming for a child from birth to age three and  
33.16 encourage parents and other relatives to involve four- and five-year-old children in school  
33.17 readiness programs, and other public and nonpublic early learning programs. A district  
33.18 may not limit participation to school district residents. Early childhood family education  
33.19 programs must provide:

33.20 (1) programs to educate parents and other relatives about the physical, mental, and  
33.21 emotional development of children and to enhance the skills of parents and other relatives  
33.22 in providing for their children's learning and development;

33.23 (2) structured learning activities requiring interaction between children and their  
33.24 parents or relatives;

33.25 (3) structured learning activities for children that promote children's development  
33.26 and positive interaction with peers, which are held while parents or relatives attend parent  
33.27 education classes;

33.28 (4) information on related community resources;

33.29 (5) information, materials, and activities that support the safety of children, including  
33.30 prevention of child abuse and neglect; and

33.31 (6) a community outreach plan to ensure participation by families who reflect the  
33.32 racial, cultural, linguistic, and economic diversity of the school district.

33.33 Early childhood family education programs are encouraged to provide parents of  
33.34 English learners with translated oral and written information to monitor the program's  
33.35 impact on their children's English language development, to know whether their children

34.1 are progressing in developing their English and native language proficiency, and to  
 34.2 actively engage with and support their children in developing their English and native  
 34.3 language proficiency;

34.4 The programs must include learning experiences for children, parents, and other  
 34.5 relatives that promote children's early literacy and, where practicable, their native  
 34.6 language skills. ~~The program must not include~~ and activities for children that ~~do not~~  
 34.7 require substantial involvement of the children's parents or other relatives. Providers must  
 34.8 review the program ~~must be reviewed~~ periodically to assure the instruction and materials  
 34.9 are not racially, culturally, or sexually biased. The programs must encourage parents to be  
 34.10 aware of practices that may affect equitable development of children.

34.11 (b) For the purposes of this section, "relative" or "relatives" means noncustodial  
 34.12 grandparents or other persons related to a child by blood, marriage, adoption, or foster  
 34.13 placement, excluding parents.

34.14 Sec. 29. Minnesota Statutes 2012, section 124D.15, subdivision 3, is amended to read:

34.15 Subd. 3. **Program requirements.** A school readiness program provider must:

34.16 (1) assess each child's cognitive and language skills with a comprehensive child  
 34.17 assessment instrument when the child enters and again before the child leaves the program  
 34.18 to ~~inform~~ improve program planning and implementation, communicate with parents, and  
 34.19 promote kindergarten readiness;

34.20 (2) provide comprehensive program content and intentional instructional practice  
 34.21 aligned with the state early childhood learning guidelines and kindergarten standards and  
 34.22 based on early childhood research and professional practice that is focused on children's  
 34.23 cognitive, social, emotional, and physical skills and development and prepares children  
 34.24 for the transition to kindergarten, including early literacy and language skills;

34.25 (3) coordinate appropriate kindergarten transition with parents and kindergarten  
 34.26 teachers;

34.27 (4) involve parents in program planning and decision making;

34.28 (5) coordinate with relevant community-based services;

34.29 (6) cooperate with adult basic education programs and other adult literacy programs;

34.30 (7) ensure staff-child ratios of one-to-ten and maximum group size of 20 children  
 34.31 with the first staff required to be a teacher; and

34.32 (8) have teachers knowledgeable in early childhood curriculum content, assessment,  
 34.33 native and English language development programs, and instruction.

34.34 Sec. 30. Minnesota Statutes 2012, section 124D.49, subdivision 3, is amended to read:

35.1           Subd. 3. **Local education and employment transitions systems.** A local education  
35.2 and employment transitions partnership must assess the needs of employers, employees,  
35.3 and learners, and develop a plan for implementing and achieving the objectives of a local  
35.4 or regional education and employment transitions system. The plan must provide for a  
35.5 comprehensive local system for assisting learners and workers in making the transition  
35.6 from school to work or for retraining in a new vocational area. The objectives of a local  
35.7 education and employment transitions system include:

35.8           (1) increasing the effectiveness of the educational programs and curriculum of  
35.9 elementary, secondary, and postsecondary schools and the work site in preparing students  
35.10 in the skills and knowledge needed to be successful in the workplace;

35.11           (2) implementing learner outcomes for students in grades kindergarten through 12  
35.12 designed to introduce the world of work and to explore career opportunities, including  
35.13 nontraditional career opportunities;

35.14           (3) eliminating barriers to providing effective integrated applied learning,  
35.15 service-learning, or work-based curriculum;

35.16           (4) increasing opportunities to apply academic knowledge and skills, including  
35.17 skills needed in the workplace, in local settings which include the school, school-based  
35.18 enterprises, postsecondary institutions, the workplace, and the community;

35.19           (5) increasing applied instruction in the attitudes and skills essential for success in  
35.20 the workplace, including cooperative working, leadership, problem-solving, English  
35.21 language proficiency, and respect for diversity;

35.22           (6) providing staff training for vocational guidance counselors, teachers, and other  
35.23 appropriate staff in the importance of preparing learners for the transition to work, and in  
35.24 methods of providing instruction that incorporate applied learning, work-based learning,  
35.25 English language proficiency, and service-learning experiences;

35.26           (7) identifying and enlisting local and regional employers who can effectively  
35.27 provide work-based or service-learning opportunities, including, but not limited to,  
35.28 apprenticeships, internships, and mentorships;

35.29           (8) recruiting community and workplace mentors including peers, parents, employers  
35.30 and employed individuals from the community, and employers of high school students;

35.31           (9) identifying current and emerging educational, training, native and English  
35.32 language development, and employment needs of the area or region, especially within  
35.33 industries with potential for job growth;

35.34           (10) improving the coordination and effectiveness of local vocational and job training  
35.35 programs, including vocational education, adult basic education, tech prep, apprenticeship,  
35.36 service-learning, youth entrepreneur, youth training and employment programs

36.1 administered by the commissioner of employment and economic development, and local  
36.2 job training programs under the Workforce Investment Act of 1998, Public Law 105-220;

36.3 (11) identifying and applying for federal, state, local, and private sources of funding  
36.4 for vocational or applied learning programs;

36.5 (12) providing students with current information and counseling about career  
36.6 opportunities, potential employment, educational opportunities in postsecondary  
36.7 institutions, workplaces, and the community, and the skills and knowledge necessary to  
36.8 succeed;

36.9 (13) providing educational technology, including interactive television networks  
36.10 and other distance learning methods, to ensure access to a broad variety of work-based  
36.11 learning opportunities;

36.12 (14) including students with disabilities in a district's vocational or applied learning  
36.13 program and ways to serve at-risk learners through collaboration with area learning  
36.14 centers under sections 123A.05 to 123A.09, or other alternative programs; and

36.15 (15) providing a warranty to employers, postsecondary education programs, and  
36.16 other postsecondary training programs, that learners successfully completing a high school  
36.17 work-based or applied learning program will be able to apply the knowledge and work  
36.18 skills included in the program outcomes or graduation requirements. The warranty shall  
36.19 require education and training programs to continue to work with those learners that need  
36.20 additional skill or English language development until they can demonstrate achievement  
36.21 of the program outcomes or graduation requirements.

36.22 Sec. 31. Minnesota Statutes 2012, section 124D.52, as amended by Laws 2013, chapter  
36.23 116, article 2, section 7, is amended to read:

36.24 **124D.52 ADULT BASIC EDUCATION.**

36.25 Subdivision 1. **Program requirements.** (a) An adult basic education program is a  
36.26 day or evening program offered by a district that is for people over 16 years of age who do  
36.27 not attend an elementary or secondary school. The program offers academic and English  
36.28 language instruction necessary to earn a high school diploma or equivalency certificate.

36.29 (b) Notwithstanding any law to the contrary, a school board or the governing body of  
36.30 a consortium offering an adult basic education program may adopt a sliding fee schedule  
36.31 based on a family's income, but must waive the fee for participants who are under the age  
36.32 of 21 or unable to pay. The fees charged must be designed to enable individuals of all  
36.33 socioeconomic levels to participate in the program. A program may charge a security  
36.34 deposit to assure return of materials, supplies, and equipment.

37.1 (c) Each approved adult basic education program must develop a memorandum of  
37.2 understanding with the local workforce development centers located in the approved  
37.3 program's service delivery area. The memorandum of understanding must describe how  
37.4 the adult basic education program and the workforce development centers will cooperate  
37.5 and coordinate services to provide unduplicated, efficient, and effective services to clients.

37.6 (d) Adult basic education aid must be spent for adult basic education purposes as  
37.7 specified in sections 124D.518 to 124D.531.

37.8 (e) A state-approved adult basic education program must count and submit student  
37.9 contact hours for a program that offers high school credit toward an adult high school  
37.10 diploma according to student eligibility requirements and measures of student progress  
37.11 toward work-based competency demonstration requirements and, where appropriate,  
37.12 English language proficiency requirements established by the commissioner and posted on  
37.13 the department Web site in a readily accessible location and format.

37.14 Subd. 2. **Program approval.** (a) To receive aid under this section, a district, a  
37.15 consortium of districts, the Department of Corrections, or a private nonprofit organization  
37.16 must submit an application by June 1 describing the program, on a form provided by  
37.17 the department. The program must be approved by the commissioner according to the  
37.18 following criteria:

37.19 (1) how the needs of different levels of learning and English language proficiency  
37.20 will be met;

37.21 (2) for continuing programs, an evaluation of results;

37.22 (3) anticipated number and education level of participants;

37.23 (4) coordination with other resources and services;

37.24 (5) participation in a consortium, if any, and money available from other participants;

37.25 (6) management and program design;

37.26 (7) volunteer training and use of volunteers;

37.27 (8) staff development services;

37.28 (9) program sites and schedules;

37.29 (10) program expenditures that qualify for aid;

37.30 (11) program ability to provide data related to learner outcomes as required by  
37.31 law; and

37.32 (12) a copy of the memorandum of understanding described in subdivision 1  
37.33 submitted to the commissioner.

37.34 (b) Adult basic education programs may be approved under this subdivision for  
37.35 up to five years. Five-year program approval must be granted to an applicant who has  
37.36 demonstrated the capacity to:

- 38.1 (1) offer comprehensive learning opportunities and support service choices  
38.2 appropriate for and accessible to adults at all basic skill ~~need~~ and English language levels  
38.3 of need;
- 38.4 (2) provide a participatory and experiential learning approach based on the strengths,  
38.5 interests, and needs of each adult, that enables adults with basic skill needs to:
- 38.6 (i) identify, plan for, and evaluate their own progress toward achieving their defined  
38.7 educational and occupational goals;
- 38.8 (ii) master the basic academic reading, writing, and computational skills, as well  
38.9 as the problem-solving, decision making, interpersonal effectiveness, and other life and  
38.10 learning skills they need to function effectively in a changing society;
- 38.11 (iii) locate and be able to use the health, governmental, and social services and  
38.12 resources they need to improve their own and their families' lives; and
- 38.13 (iv) continue their education, if they desire, to at least the level of secondary school  
38.14 completion, with the ability to secure and benefit from continuing education that will  
38.15 enable them to become more employable, productive, and responsible citizens;
- 38.16 (3) plan, coordinate, and develop cooperative agreements with community resources  
38.17 to address the needs that the adults have for support services, such as transportation, English  
38.18 language learning, flexible course scheduling, convenient class locations, and child care;
- 38.19 (4) collaborate with business, industry, labor unions, and employment-training  
38.20 agencies, as well as with family and occupational education providers, to arrange for  
38.21 resources and services through which adults can attain economic self-sufficiency;
- 38.22 (5) provide sensitive and well trained adult education personnel who participate in  
38.23 local, regional, and statewide adult basic education staff development events to master  
38.24 effective adult learning and teaching techniques;
- 38.25 (6) participate in regional adult basic education peer program reviews and evaluations;
- 38.26 (7) submit accurate and timely performance and fiscal reports;
- 38.27 (8) submit accurate and timely reports related to program outcomes and learner  
38.28 follow-up information; and
- 38.29 (9) spend adult basic education aid on adult basic education purposes only, which  
38.30 are specified in sections 124D.518 to 124D.531.
- 38.31 (c) The commissioner shall require each district to provide notification by February  
38.32 1, 2001, of its intent to apply for funds under this section as a single district or as part of  
38.33 an identified consortium of districts. A district receiving funds under this section must  
38.34 notify the commissioner by February 1 of its intent to change its application status for  
38.35 applications due the following June 1.

39.1 Subd. 3. **Accounts; revenue; aid.** (a) Each district, group of districts, or private  
39.2 nonprofit organization providing adult basic education programs must establish and  
39.3 maintain a reserve account within the community service fund for ~~the receipt~~ receiving  
39.4 and ~~disbursement of~~ disbursing all funds related to these programs. All revenue received  
39.5 ~~pursuant to~~ under this section must be ~~utilized~~ used solely for the purposes of adult basic  
39.6 education programs. State aid must not equal more than 100 percent of the unreimbursed  
39.7 expenses of providing these programs, excluding in-kind costs.

39.8 (b) For purposes of paragraph (a), an adult basic education program may include as  
39.9 valid expenditures for the previous fiscal year program spending that occurs from July  
39.10 1 to September 30 of the following year. A program may carry over a maximum of 20  
39.11 percent of its adult basic education aid revenue into the next fiscal year. Program spending  
39.12 may only be counted for one fiscal year.

39.13 (c) Notwithstanding section 123A.26 or any other law to the contrary, an adult basic  
39.14 education consortium providing an approved adult basic education program may be its own  
39.15 fiscal agent and is eligible to receive state-aid payments directly from the commissioner.

39.16 Subd. 4. **English as a second language programs.** Persons may teach English  
39.17 as a second language classes ~~conducted~~ at a worksite, if they meet the requirements  
39.18 of section 122A.19, subdivision 1, clause (a), regardless of whether they are licensed  
39.19 teachers. Persons teaching English as a second language for an approved adult basic  
39.20 education program must possess a bachelor's or master's degree in English as a second  
39.21 language, applied linguistics, or bilingual education, or a related degree ~~as~~ approved by  
39.22 the commissioner.

39.23 Subd. 5. **Basic service level.** A district, or a consortium of districts, with a program  
39.24 approved by the commissioner under subdivision 2 must establish, in consultation with the  
39.25 commissioner, a basic level of service for every adult basic education site in the district  
39.26 or consortium. The basic service level must describe minimum levels of academic and  
39.27 English language instruction and support services to be provided at each site. The program  
39.28 must set a basic service level that promotes effective learning and student achievement  
39.29 with measurable results. Each district or consortium of districts must submit its basic  
39.30 service level to the commissioner for approval.

39.31 Subd. 6. **Cooperative English as a second language and adult basic education**  
39.32 **programs.** (a) A school district, or adult basic education consortium that receives revenue  
39.33 under section 124D.531, may deliver English as a second language, citizenship, or other  
39.34 adult education programming in collaboration with community-based and nonprofit  
39.35 organizations located within its district or region, and with correctional institutions. The  
39.36 organization or correctional institution must have the demonstrated capacity to offer

40.1 education programs for adults. Community-based or nonprofit organizations must meet  
40.2 the criteria in paragraph (b), or have prior experience. A community-based or nonprofit  
40.3 organization or a correctional institution may be reimbursed for unreimbursed expenses  
40.4 as defined in section 124D.518, subdivision 5, for ~~the administration of~~ administering  
40.5 English as a second language or adult basic education programs, not to exceed eight  
40.6 percent of the total funds provided by a school district or adult basic education consortium.  
40.7 The administrative reimbursement for a school district or adult basic education consortium  
40.8 that delivers services cooperatively with a community-based or nonprofit organization  
40.9 or correctional institution is limited to five percent of the program aid, not to exceed the  
40.10 unreimbursed expenses of administering programs delivered by community-based or  
40.11 nonprofit organizations or correctional institutions.

40.12 (b) A community-based organization or nonprofit organization that delivers education  
40.13 services under this section must demonstrate that it has met the following criteria:

40.14 (1) be legally established as a nonprofit organization;

40.15 (2) have an established system for fiscal accounting and reporting that is consistent  
40.16 with the ~~Department of Education's~~ department's adult basic education completion report  
40.17 and reporting requirements under section 124D.531;

40.18 (3) require all instructional staff to complete a training course in teaching adult  
40.19 learners; and

40.20 (4) develop a learning plan for each student that identifies defined educational and  
40.21 occupational goals with measures to evaluate progress.

40.22 **Subd. 7. Performance tracking system.** (a) By July 1, 2000, each approved adult  
40.23 basic education program must develop and implement a performance tracking system to  
40.24 provide information necessary to comply with federal law and serve as one means of  
40.25 assessing the effectiveness of adult basic education programs. For required reporting,  
40.26 longitudinal studies, and program improvement, the tracking system must be designed to  
40.27 collect data on the following core outcomes for learners, including English learners, who  
40.28 have completed participating in the adult basic education program:

40.29 (1) demonstrated improvements in literacy skill levels in reading, writing, speaking  
40.30 the English language, numeracy, problem solving, English language acquisition, and  
40.31 other literacy skills;

40.32 (2) placement in, retention in, or completion of postsecondary education, training,  
40.33 unsubsidized employment, or career advancement;

40.34 (3) receipt of a secondary school diploma or its recognized equivalent; and

40.35 (4) reduction in participation in the diversionary work program, Minnesota family  
40.36 investment program, and food support education and training program.



41.1 (b) A district, group of districts, state agency, or private nonprofit organization  
41.2 providing an adult basic education program may meet this requirement by developing a  
41.3 tracking system based on either or both of the following methodologies:

41.4 (1) conducting a reliable follow-up survey; or

41.5 (2) submitting student information, including Social Security numbers for data  
41.6 matching.

41.7 Data related to obtaining employment must be collected in the first quarter following  
41.8 program completion or can be collected while the student is enrolled, if known. Data  
41.9 related to employment retention must be collected in the third quarter following program  
41.10 exit. Data related to any other specified outcome may be collected at any time during a  
41.11 program year.

41.12 (c) When a student in a program is requested to provide the student's Social Security  
41.13 number, the student must be notified in a written form easily understandable to the student  
41.14 that:

41.15 (1) providing the Social Security number is optional and no adverse action may be  
41.16 taken against the student if the student chooses not to provide the Social Security number;

41.17 (2) the request is made under section 124D.52, subdivision 7;

41.18 (3) if the student provides the Social Security number, it will be used to assess the  
41.19 effectiveness of the program by tracking the student's subsequent career; and

41.20 (4) the Social Security number will be shared with the Department of Education;  
41.21 Minnesota State Colleges and Universities; Office of Higher Education; Department of  
41.22 Human Services; and Department of Employment and Economic Development in order  
41.23 to accomplish the purposes described in paragraph (a) and will not be used for any other  
41.24 purpose or reported to any other governmental entities.

41.25 (d) Annually a district, group of districts, state agency, or private nonprofit  
41.26 organization providing programs under this section must forward the tracking data  
41.27 collected to the Department of Education. For the purposes of longitudinal studies on the  
41.28 employment status of former students under this section, the Department of Education  
41.29 must forward the Social Security numbers to the Department of Employment and  
41.30 Economic Development to electronically match the Social Security numbers of former  
41.31 students with wage detail reports filed under section 268.044. The results of data matches  
41.32 must, for purposes of this section and consistent with the requirements of the United  
41.33 States Code, title 29, section 2871, of the Workforce Investment Act of 1998, be compiled  
41.34 in a longitudinal form by the Department of Employment and Economic Development  
41.35 and released to the Department of Education in the form of summary data that does not  
41.36 identify the individual students. The Department of Education may release this summary

42.1 data. State funding for adult basic education programs must not be based on the number or  
 42.2 percentage of students who decline to provide their Social Security numbers or on whether  
 42.3 the program is evaluated by means of a follow-up survey instead of data matching.

42.4 Subd. 8. **Standard high school diploma for adults.** (a) The commissioner shall  
 42.5 adopt rules for providing a standard adult high school diploma to persons who:

42.6 (1) are not eligible for kindergarten through grade 12 services;

42.7 (2) do not have a high school diploma; and

42.8 (3) successfully complete an adult basic education program of instruction approved  
 42.9 by the commissioner of education necessary to earn an adult high school diploma.

42.10 (b) Persons participating in an approved adult basic education program of instruction  
 42.11 must demonstrate the competencies, knowledge, and skills and, where appropriate,  
 42.12 English language proficiency, sufficient to ensure that postsecondary programs and  
 42.13 institutions and potential employers regard persons with a standard high school diploma  
 42.14 and persons with a standard adult high school diploma as equally well prepared and  
 42.15 qualified graduates. Approved adult basic education programs of instruction under this  
 42.16 subdivision must issue a standard adult high school diploma to persons who successfully  
 42.17 demonstrate the competencies, knowledge, and skills required by the program.

42.18 Sec. 32. Minnesota Statutes 2012, section 124D.522, is amended to read:

42.19 **124D.522 ADULT BASIC EDUCATION SUPPLEMENTAL SERVICE**  
 42.20 **GRANTS.**

42.21 (a) The commissioner, in consultation with the policy review task force under  
 42.22 section 124D.521, may make grants to nonprofit organizations to provide services that are  
 42.23 not offered by a district adult basic education program or that are supplemental to either  
 42.24 the statewide adult basic education program, or a district's adult basic education program.  
 42.25 The commissioner may make grants for: staff development for adult basic education  
 42.26 teachers and administrators; training for volunteer tutors; training, services, and materials  
 42.27 for serving disabled students through adult basic education programs; statewide promotion  
 42.28 of adult basic education services and programs; development and dissemination of  
 42.29 instructional and administrative technology for adult basic education programs; programs  
 42.30 which primarily serve communities of color; adult basic education distance learning  
 42.31 projects, including television instruction programs; initiatives to accelerate English  
 42.32 language acquisition and the achievement of career- and college-ready skills among  
 42.33 English learners; and other supplemental services to support the mission of adult basic  
 42.34 education and innovative delivery of adult basic education services.

43.1 (b) The commissioner must establish eligibility criteria and grant application  
 43.2 procedures. Grants under this section must support services throughout the state, focus  
 43.3 on educational results for adult learners, and promote outcome-based achievement  
 43.4 through adult basic education programs. Beginning in fiscal year 2002, the commissioner  
 43.5 may make grants under this section from the state total adult basic education aid set  
 43.6 aside for supplemental service grants under section 124D.531. Up to one-fourth of the  
 43.7 appropriation for supplemental service grants must be used for grants for adult basic  
 43.8 education programs to encourage and support innovations in adult basic education  
 43.9 instruction and service delivery. A grant to a single organization cannot exceed 20 percent  
 43.10 of the total supplemental services aid. Nothing in this section prevents an approved adult  
 43.11 basic education program from using state or federal aid to purchase supplemental services.

43.12 Sec. 33. Minnesota Statutes 2012, section 124D.59, subdivision 2, is amended to read:

43.13 Subd. 2. **English learner.** (a) "English learner" means a pupil in kindergarten  
 43.14 through grade 12 who meets the following requirements:

43.15 (1) the pupil, as declared by a parent or guardian first learned a language other than  
 43.16 English, comes from a home where the language usually spoken is other than English, or  
 43.17 usually speaks a language other than English; and

43.18 (2) the pupil is determined by a valid assessment measuring the pupil's English  
 43.19 language proficiency and by developmentally appropriate measures, which might include  
 43.20 observations, teacher judgment, parent recommendations, or developmentally appropriate  
 43.21 assessment instruments, to lack the necessary English skills to participate fully in  
 43.22 academic classes taught in English.

43.23 (b) ~~Notwithstanding paragraph (a),~~ A pupil enrolled in a Minnesota public school  
 43.24 in grades any grade 4 through 12 who was enrolled in a Minnesota public school on  
 43.25 the dates during in the previous school year when a commissioner provided took a  
 43.26 commissioner-provided assessment that measures measuring the pupil's emerging  
 43.27 academic English was administered, shall not be counted as an English learner in  
 43.28 calculating English learner pupil units under section 126C.05, subdivision 17, and shall not  
 43.29 generate state English learner aid under section 124D.65, subdivision 5, ~~unless~~ if the pupil  
 43.30 scored below the state cutoff score or is otherwise counted as a nonproficient participant  
 43.31 on an the assessment measuring the pupil's emerging academic English provided by the  
 43.32 commissioner during the previous school year and in the judgment of the pupil's classroom  
 43.33 teachers, consistent with section 124D.61, clause (1), the pupil is unable to demonstrate  
 43.34 academic language proficiency in English, including oral academic language, sufficient to  
 43.35 successfully and fully participate in the general core curriculum in the regular classroom.

44.1 (c) Notwithstanding paragraphs (a) and (b), a pupil in kindergarten through grade  
 44.2 12 shall not be counted as an English learner in calculating English learner pupil units  
 44.3 under section 126C.05, subdivision 17, and shall not generate state English learner aid  
 44.4 under section 124D.65, subdivision 5, if:

44.5 (1) the pupil is not enrolled during the current fiscal year in an educational program  
 44.6 for English learners ~~in accordance with~~ under sections 124D.58 to 124D.64; or

44.7 (2) the pupil has generated five or more years of average daily membership in  
 44.8 Minnesota public schools since July 1, 1996.

44.9 Sec. 34. Minnesota Statutes 2012, section 124D.895, is amended to read:

44.10 **124D.895 PARENTAL INVOLVEMENT PROGRAMS.**

44.11 Subdivision 1. **Program goals.** The department, in consultation with the state  
 44.12 curriculum advisory committee, must develop guidelines and model plans for parental  
 44.13 involvement programs that will:

44.14 (1) engage the interests and talents of parents or guardians in recognizing and  
 44.15 meeting the emotional, intellectual, native and English language development, and  
 44.16 physical needs of their school-age children;

44.17 (2) promote healthy self-concepts among parents or guardians and other family  
 44.18 members;

44.19 (3) offer parents or guardians a chance to share and learn about educational skills,  
 44.20 techniques, and ideas;

44.21 (4) provide creative learning experiences for parents or guardians and their  
 44.22 school-age children, including involvement from parents or guardians of color;

44.23 (5) encourage parents to actively participate in their district's curriculum advisory  
 44.24 committee under section 120B.11 in order to assist the school board in improving  
 44.25 children's education programs; and

44.26 (6) encourage parents to help in promoting school desegregation/integration under  
 44.27 sections 124D.861 and 124D.862.

44.28 Subd. 2. **Plan contents.** Model plans for a parental involvement program must  
 44.29 include at least the following:

44.30 (1) program goals;

44.31 (2) means for achieving program goals;

44.32 (3) methods for informing parents or guardians, in a timely way, about the program;

44.33 (4) strategies for ensuring the full participation of parents or guardians, including  
 44.34 those parents or guardians who lack literacy skills or whose native language is not English,  
 44.35 including the involvement from of parents or guardians of color;

45.1 (5) procedures for coordinating the program with kindergarten through grade 12  
45.2 curriculum, with parental involvement programs currently available in the community,  
45.3 with the ~~process under sections 120B.10 to~~ world's best workforce under section 120B.11,  
45.4 and with other education facilities located in the community;

45.5 (6) strategies for training teachers and other school staff to work effectively with  
45.6 parents and guardians;

45.7 (7) procedures for parents or guardians and educators to evaluate and report progress  
45.8 toward program goals; and

45.9 (8) a mechanism for convening a local community advisory committee composed  
45.10 primarily of parents or guardians to advise a district on implementing a parental  
45.11 involvement program.

45.12 Subd. 3. **Plan activities.** Activities contained in the model plans must include:

45.13 (1) educational opportunities for families that enhance children's learning and native  
45.14 and English language development;

45.15 (2) educational programs for parents or guardians on families' educational  
45.16 responsibilities and resources;

45.17 (3) the hiring, training, and use of parental involvement liaison workers to  
45.18 coordinate family involvement activities and to foster linguistic and culturally competent  
45.19 communication among families, educators, and students, consistent with the definition of  
45.20 culturally competent under section 120B.11, subdivision 1, paragraph (d);

45.21 (4) curriculum materials and assistance in implementing home and community-based  
45.22 learning activities that reinforce and extend classroom instruction and student motivation;

45.23 (5) technical assistance, including training to design and carry out family  
45.24 involvement programs;

45.25 (6) parent resource centers;

45.26 (7) parent training programs and reasonable and necessary expenditures associated  
45.27 with parents' attendance at training sessions;

45.28 (8) reports to parents on children's progress;

45.29 (9) use of parents as classroom volunteers, or as volunteers in before and after  
45.30 school programs for school-age children, tutors, and aides;

45.31 (10) soliciting parents' suggestions in planning, developing, and implementing  
45.32 school programs;

45.33 (11) educational programs and opportunities for parents or guardians that are  
45.34 multicultural, multilingual, gender fair, and disability sensitive;

45.35 (12) involvement in a district's curriculum advisory committee or a school building  
45.36 team under section 120B.11; and

46.1 (13) opportunities for parent involvement in developing, implementing, or evaluating  
46.2 school and district desegregation/integration plans under sections 124D.861 and 124D.862.

46.3 Sec. 35. Minnesota Statutes 2012, section 124D.8955, is amended to read:

46.4 **124D.8955 PARENT AND FAMILY INVOLVEMENT POLICY.**

46.5 (a) In order to promote and support student achievement, a local school board is  
46.6 encouraged to formally adopt and implement a parent and family involvement policy that  
46.7 promotes and supports:

46.8 (1) oral and written communication between home and school that is regular,  
46.9 two-way, ~~and~~ meaningful, and in families' native language;

46.10 (2) parenting skills;

46.11 (3) parents and caregivers who play an integral role in assisting student learning and  
46.12 learn about fostering students' academic success and learning at home and school;

46.13 (4) welcoming parents in the school and using networks that support families'  
46.14 cultural connections, seeking their support and assistance;

46.15 (5) partnerships with parents in the decisions that affect children and families  
46.16 in the schools; and

46.17 (6) providing community resources to strengthen schools, families, and student  
46.18 learning.

46.19 (b) A school board that implements a parent and family involvement policy under  
46.20 paragraph (a) must convene an advisory committee composed of an equal number of  
46.21 resident parents who are not district employees and school staff to make recommendations  
46.22 to the board on developing and evaluating the board's parent and family involvement  
46.23 policy. If possible, the advisory committee must represent the diversity of the district. The  
46.24 advisory committee must consider the district's demographic diversity and barriers to  
46.25 parent involvement when developing its recommendations. The advisory committee must  
46.26 present its recommendations to the board for board consideration.

46.27 (c) The board must consider research-based best practices when implementing  
46.28 this policy.

46.29 (d) The board periodically must review this policy to determine whether it is aligned  
46.30 with the most current research findings on parent involvement policies and practices and  
46.31 how effective the policy is in supporting increased student achievement.

46.32 (e) Nothing in this section obligates a school district to exceed any parent or family  
46.33 involvement requirement under federal law.

47.1 Sec. 36. Minnesota Statutes 2013 Supplement, section 127A.70, subdivision 2, is  
47.2 amended to read:

47.3 Subd. 2. **Powers and duties; report.** (a) The partnership shall develop  
47.4 recommendations to the governor and the legislature designed to maximize the achievement  
47.5 of all P-20 students while promoting the efficient use of state resources, thereby helping  
47.6 the state realize the maximum value for its investment. These recommendations may  
47.7 include, but are not limited to, strategies, policies, or other actions focused on:

47.8 (1) improving the quality of and access to education at all points from preschool  
47.9 through graduate education;

47.10 (2) improving preparation for, and transitions to, postsecondary education and  
47.11 work; and

47.12 (3) ensuring educator quality by creating rigorous standards for teacher recruitment,  
47.13 teacher preparation, induction and mentoring of beginning teachers, and continuous  
47.14 professional development for career teachers.

47.15 (b) Under the direction of the P-20 Education Partnership Statewide Longitudinal  
47.16 Education Data System Governance Committee, the Office of Higher Education and the  
47.17 Departments of Education and Employment and Economic Development shall improve  
47.18 and expand the Statewide Longitudinal Education Data System (SLEDS) to provide  
47.19 policymakers, education and workforce leaders, researchers, and members of the public  
47.20 with data, research, and reports to:

47.21 (1) expand reporting on students' educational outcomes for diverse student  
47.22 populations including at-risk students, children with disabilities, English learners, and  
47.23 gifted students, among others, and include formative and summative evaluations based on  
47.24 multiple measures of student progress toward career and college readiness;

47.25 (2) evaluate the effectiveness of educational and workforce programs; and

47.26 (3) evaluate the relationship between education and workforce outcomes, consistent  
47.27 with section 124D.49.

47.28 To the extent possible under federal and state law, research and reports should be  
47.29 accessible to the public on the Internet, and disaggregated by demographic characteristics,  
47.30 organization or organization characteristics, and geography.

47.31 It is the intent of the legislature that the Statewide Longitudinal Education Data  
47.32 System inform public policy and decision-making. The SLEDS governance committee,  
47.33 with assistance from staff of the Office of Higher Education, the Department of Education,  
47.34 and the Department of Employment and Economic Development, shall respond to  
47.35 legislative committee and agency requests on topics utilizing data made available through

48.1 the Statewide Longitudinal Education Data System as resources permit. Any analysis of  
48.2 or report on the data must contain only summary data.

48.3 (c) By January 15 of each year, the partnership shall submit a report to the governor  
48.4 and to the chairs and ranking minority members of the legislative committees and  
48.5 divisions with jurisdiction over P-20 education policy and finance that summarizes the  
48.6 partnership's progress in meeting its goals and identifies the need for any draft legislation  
48.7 when necessary to further the goals of the partnership to maximize student achievement  
48.8 while promoting efficient use of resources.

48.9 Sec. 37. **REPEALER.**

48.10 Minnesota Statutes 2012, section 122A.19, subdivision 3, is repealed effective the  
48.11 day following final enactment.



**122A.19 BILINGUAL AND ENGLISH AS A SECOND LANGUAGE TEACHERS;  
LICENSES.**

Subd. 3. **Employment of teachers.** Teachers employed in a bilingual education or English as a second language program established pursuant to sections 124D.58 to 124D.64 shall not be employed to replace any presently employed teacher who otherwise would not be replaced.