

CHAPTER 129B

QUALITY EDUCATION COUNCIL; PROGRAMS

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129B.01 ESTABLISHMENT.

[For text of subd 1, see M.S.1982]

Subd. 2. **Terms, compensation, removal, vacancies.** The membership terms, compensation, removal of members and filling of vacancies shall be as provided for in section 15.0575; members appointed by organizations shall be subject to reappointment or removal by the appointing organizations.

History: 1983 c 314 art 9 s 3

129B.02 PURPOSE.

Subdivision 1. **Concern for future.** The legislature of the state of Minnesota expresses concern over the future of elementary and secondary education in this state, its ability to meet the educational needs of the public school students, the professional growth and satisfaction of school staffs, the effectiveness and efficiency of present schools and their learning processes, continuing pupil unit cost escalation and the resulting financial crisis which this brings about. New approaches to the learning process, better use of professional staff and community resources, different requirements as to course offerings, course content, grading, graduation and school attendance must be researched and developed. It is believed that revised programs, innovations, new attitudes about learning and the public schools' responsibilities can be effectively achieved if research and development is performed by the council on quality education and at the local school level by the school's staff and with involvement by the students and their community. Although funds spent now for these purposes can produce substantial educational and cost benefits in the future, these capital type funds are seldom available within any single school district's budget.

Subd. 2. **Research and development.** The purpose of the council on quality education is, therefore, to encourage, promote, aid, and perform research and development for quality education in Minnesota elementary and secondary schools, to evaluate the results of significant innovative programs and to disseminate information about these programs throughout the state.

To these ends, the council through the state board of education shall establish a venture fund from which grants or loans may be made in support of research and development programs relating to the problems and objectives described in this section which shall include but not be limited to:

- (1) effective use of community personnel and resources;

(2) developing improved learning programs, including model personnel policies and procedures, new staffing and educational concepts such as differentiated staffing and comprehensive developmental and educational planning for individual pupils;

(3) assessment and evaluation of education programs;

(4) developing procedures to increase a school's accountability;

(5) determining responsibilities to be assumed by the schools exclusively or concurrently with other agencies or individuals;

(6) effective dissemination of educational information;

(7) developing new knowledge about learning and teaching;

(8) developing model educational programs and alternative delivery systems that will improve curriculum offerings for small rural schools;

(9) model programs and innovations to increase equality of educational opportunities;

(10) research and testing of new concepts of educational efficiency, effectiveness and cost benefits; and

(11) comprehensive interdisciplinary programs in health education and comprehensive programs designed to coordinate and integrate the delivery of pupil support services.

Subd. 3. **New concepts.** The council shall not be limited to supporting innovations, programs or procedures supplementary to existing school structures and programs but may assist or research entirely new concepts such as open schools, informal schools and the like. It is the legislature's intent that any supported program shall hold promise of both educational and cost benefits and that the costs and improvements in learning effectiveness introduced thereby shall be measured and related. The council shall provide for an evaluation of each program which it supports with a grant or loan.

The council may also review literature and other information about innovative programs in Minnesota and other states and disseminate the results of this research throughout the state. The council may identify ideas for innovative programs in the course of this research and solicit proposals from school boards for grants for such programs. However, not more than ten percent of the funds appropriated to the venture fund in any year may be expended to fund such research and programs.

Subd. 4. **Report to legislature.** The council shall report to the legislature by November 15 of each even-numbered year concerning all research and all proposals received, the dispositions of them by the council and the state board of education, the evaluations of the programs that were funded, and of receipts and expenditures resulting from sales of materials developed through venture fund grants.

History: 1983 c 314 art 9 s 4

129B.04 PROPOSALS.

Subdivision 1. **Requirements.** A school board or group of school boards may develop a proposal for a grant or loan in support of a research and development program of the kind described in section 129B.02. Except for grants according to subdivision 1a, every proposal shall include:

(1) the objectives of the program, and the procedures to achieve them;

(2) the evaluation procedures for measuring effectiveness of the program;

(3) fiscal control and fund accounting procedures necessary to assure proper disbursement and accounting for funds paid to the applicant;

(4) administration of the program by the school district, or in cooperation with other school districts, educational institutions, or local agencies under the supervision of the school district; and

(5) a description of how school staff, pupils, and members of the community are involved in planning and implementing the program.

Subd. 1a. **Mini grants.** The council may award grants not to exceed \$5,000 to districts to (1) disseminate information about successful projects initiated by the district with a grant from the venture fund, or (2) replicate cost-effective innovations which either were initiated in other districts with venture fund support or were validated by the department of education or federal agencies. The council shall prescribe the form and manner of application for these grants.

Subd. 2. **Procedure.** Every program proposal shall be submitted to the council created by section 129B.01, not less than two months before the planned commencement of the program. The council shall recommend approval or disapproval, or shall modify and then recommend such modification with respect to every proposal submitted to it. The council shall also recommend the amount and type of grant to be made in support of the proposed program in the light of the then currently available moneys in the venture fund. This information shall be provided to the council by the state board of education. The council shall also recommend what rules, if any, shall be suspended or modified to implement the proposal. Only proposals recommended for approval shall be transmitted by the council to the state board. All these proposals shall be approved and funded from the venture fund by the state board as recommended by the council unless the state board, within 30 days after receiving a proposal from the council, makes other disposition of the proposal by formal board action. One-half of each grant recommended by the council and funded by the state board may be an interest free loan and repaid over five years.

History: 1983 c 314 art 9 s 5

129B.041 COPYRIGHT AND SALE OF PRODUCTS.

Subdivision 1. **Copyright.** Products of projects and programs funded pursuant to sections 129B.01 to 129B.05, including curriculum and instructional materials, computer and telecommunications software, and associated manuals and reports, may be copyrighted by the council in the name of the state and may be sold. However, the state shall sell the products to all school districts and public agencies in the state at prices that do not exceed the cost of reproduction and distribution.

Subd. 2. **Sale.** The council shall enter into an agreement with the Minnesota educational computing consortium for the sale and distribution of computer and telecommunications software products of projects and programs funded pursuant to sections 129B.01 to 129B.05. The agreement shall provide that the products sold be clearly labeled as products developed pursuant to a grant or loan from the council on quality education.

Subd. 3. The education products revolving account is established in the state treasury. Except as provided in the agreement between the council and the Minnesota educational computing consortium pursuant to subdivision 2, proceeds up to the cost of reproduction and distribution from the sale of products under this section shall be deposited in this account. All funds in this account are annually appropriated to the department of education and shall be used to

reproduce and distribute products of projects and programs funded pursuant to sections 129B.01 to 129B.05.

Subd. 4. Proceeds in excess of costs from the sale of products pursuant to this section shall be shared equally between the state and the school district which developed the product with a grant from the council. The school district share is appropriated to the department of education and shall be paid to the district. The state share is appropriated to the department of education and shall be placed in the venture fund of the council and used to fund similar projects.

History: 1983 c 314 art 9 s 6

129B.05 STATE BOARD AND COMMISSIONER.

Subdivision 1. **General powers.** The state board of education shall develop and promulgate additional recommendatory guidelines as may be appropriate to further sections 129B.01 to 129B.05 and the development and implementation of the contemplated programs, for its benefit and the benefit of the council and applicants. The commissioner of education shall make available to the council at its request the staff the council deems necessary to perform its functions.

Subd. 2. **Consultants.** The council may also employ or contract for the services of consultants. The consultants may be for purposes such as research, evaluation, dissemination, cost-benefit analyses, and inservice training. The council may contract with one or more qualified consultants or law firms specializing in securing broadcast and telecast licenses from the federal communications commission. The consultant or law firm shall assist with the preparation of all necessary license applications to the federal communications commission on behalf of school districts recommended by the council as transmission sites. The council may use as much of the annual appropriation, made for the purposes of sections 129B.01 to 129B.05 as is necessary for this purpose.

History: 1983 c 314 art 9 s 7

129B.09 EARLY CHILDHOOD AND FAMILY EDUCATION PROGRAMS.

Subdivision 1. **Authorization.** The school board of any district, however organized, which receives early childhood and family education moneys from the council on quality education shall provide those services in an area the council deems to be appropriate. The council on quality education shall prescribe the form and manner of application for the programs and shall select the grant recipients. These programs shall be as equally distributed as possible among districts in cities of the first class, in suburbs, and outside the seven county metropolitan area.

[For text of subds 2 to 4, see M.S.1982]

Subd. 5. [Repealed, 1983 c 314 art 6 s 33]

[For text of subds 6 and 7, see M.S.1982]

Subd. 8. **Advisory task force on early childhood and family education.** The council on quality education may appoint an advisory task force on early childhood and family education programs. If appointed, the advisory task force shall be composed of parents of young children and persons knowledgeable in the fields of health, education and welfare. A majority of the task force shall be

parents of young children. The expiration, terms, compensation, and removal of members shall be governed by the provisions of section 15.059, subdivision 6.

[For text of subds 9 to 11, see M.S.1982]

Subd. 12. **Negotiated grants.** For the 1983-1984 school year the council on quality education may fund up to 36 early childhood and family education programs according to the negotiated grants procedure in sections 129B.01 to 129B.05.

For the 1983-1984 school year, the council on quality education shall only make grants to the early childhood and family education programs which were funded for the 1982-1983 school year.

History: 1983 c 260 s 29; 1983 c 314 art 9 s 8,9

129B.17 AUTHORIZATION.

The department of education shall prescribe the form and manner of application for recipients of comprehensive arts in education planning grants. The state board of education shall award grants in consultation with the Minnesota alliance for arts in education and the Minnesota state arts board.

History: 1983 c 314 art 6 s 19

129B.18 PROGRAM ACCOUNTS.

A district receiving a comprehensive arts in education planning grant shall establish and maintain a separate account for the receipt and disbursement of all funds relating to the program, and the funds shall be spent only for the purpose of arts education programs.

History: 1983 c 314 art 6 s 20

129B.19 ADDITIONAL FUNDING.

A district receiving a comprehensive arts in education planning grant may receive funds for the program from private sources and from other governmental agencies, including any state or federal funds available for arts education.

History: 1983 c 314 art 6 s 21

129B.20 CRITERIA FOR GRANT APPROVAL.

Up to 30 grants of \$1,000 each may be approved for programs which include:

- (1) a needs assessment of arts education and planning in the school district;
- (2) creation of a community-based arts education team of eight individuals from the school district and the community whose function will be to promote comprehensive arts education in the school district;
- (3) participation by members of the arts education team in training offered by the department of education; and
- (4) establishment of an evaluation component.

History: 1983 c 314 art 6 s 22

129B.21 DEPARTMENT RESPONSIBILITY.

The department of education shall:

- (1) provide training and assistance to the arts education teams in the school districts;

(2) provide consultation and technical assistance to districts which receive arts in education planning grants; and

(3) submit a report to the education committees of the senate and house of representatives by January 1, 1985. The report shall include the status and implementation of comprehensive arts in education planning grants and the department's plans to promote arts education in the schools.

History: 1983 c 314 art 6 s 23

129B.31 CITATION.

Sections 129B.32 to 129B.40 may be cited as the "Minnesota Education Technology Act."

History: 1983 c 314 art 8 s 10

129B.32 DEFINITIONS.

Subdivision 1. **Applicability.** For the purpose of sections 129B.33 to 129B.40, the following terms have the meanings given them, unless clearly provided otherwise.

Subd. 2. **Average daily membership.** "Average daily membership" has the meaning given it in section 124.17, subdivision 2.

Subd. 3. **Courseware package.** "Courseware package" means integrated videotape and videodisk, computer disk, and software and its supporting materials, such as workbooks and textbooks.

Subd. 4. **State board.** "State board" means state board of education.

Subd. 5. **Advisory committee.** "Advisory committee" means the advisory committee on technology in education established in Laws 1983, chapter 314, article 8, section 11.

Subd. 6. **Technology.** "Technology" includes, but is not limited to, computers, telecommunications, cable television, interactive video, film, low-power television, satellite communications, and microwave communications.

History: 1983 c 314 art 8 s 12

129B.33 TECHNOLOGY UTILIZATION PLANS.

Subdivision 1. **Development of plan.** Each school district is encouraged to develop and adopt as part of its educational policy a written technology utilization plan, in consultation with the curriculum advisory committee for planning, evaluation, and reporting appointed pursuant to section 123.741, subdivision 3. The district is encouraged to review the plan each year and adopt revisions as desired.

Subd. 2. **Eligibility for aid.** Each school district which intends to prepare and submit a technology utilization plan that complies with this section is eligible to receive state aid. Application forms shall be provided to districts by the department of education by August 31, 1983.

Subd. 3. **Aid for planning.** A school district which applies for aid to develop a technology utilization plan shall receive \$0.75 times average daily membership for the 1982-1983 school year. No district which applied for aid shall receive less than \$500.

Subd. 4. **Payment of aid; submission of plans.** The department of education shall pay aid to a district within 30 days of receiving the district's application. Districts which receive aid shall submit technology utilization plans by January 31, 1984, or within 90 days of receiving aid, whichever is later.

Subd. 5. **Contents of plan.** The plan shall describe:

(a) how technology will be used to provide educational opportunities for people of all ages residing in the district, affirmatively addressing the needs of special populations, including females, minorities, and the disabled;

(b) goals for implementing the use of technology in the district, including instruction and management uses;

(c) means to achieve these goals, including proposed teacher inservice training;

(d) procedures for integrating the use of technology into the district's community education program; and

(e) procedures to evaluate and report progress toward the goals.

Subd. 6. **Model plans.** By August 31, 1983, the department of education, in consultation with the advisory committee, educational cooperative service units, Minnesota educational computing consortium, and appropriate regional management information centers formed according to section 121.935, subdivision 1, shall develop model plans and criteria for evaluating district plans. The department may employ consultants and specialists to assist in this effort. The model plans and criteria shall be distributed to districts, and the department shall assist in developing district plans, upon request.

Subd. 7. **Approval of plan.** The state board shall approve or disapprove a plan within 60 days of receiving the plan submitted by a district. The plan may be modified by the district, in consultation with the department, at any time prior to state board action on the plan. A plan that is disapproved may be revised and resubmitted for approval.

History: 1983 c 314 art 8 s 13

129B.34 IN-SERVICE TRAINING FOR USE OF TECHNOLOGY.

Subdivision 1. **Eligibility for aid.** Each school district with an approved technology utilization plan, according to section 129B.33, may apply for state aid to provide in-service training for elementary and secondary public school staff on the use of technology in education. The in-service training should not be limited to formal classroom presentations. School districts are encouraged to cooperate in providing in-service training for staff members.

Subd. 2. **Applications.** Applications containing specific in-service training proposals for a district or combination of districts shall be submitted by December 1, 1984, in the form and manner prescribed by the department of education. The department shall approve or disapprove applications within 60 days of receipt.

Subd. 3. **Amount of aid.** A district or combination of districts whose application is approved shall receive \$1 times average daily membership for the 1982-1983 school year. Aid shall be paid within 30 days of approval.

Subd. 4. **Statewide in-service training.** By June 30, 1985, the department shall provide for supplemental regional or statewide in-service training for district staff on the use of technology in education. The department may employ consultants or specialists for this purpose, but shall ensure that these training activities do not duplicate or conflict with services provided by other governmental agencies or organizations.

History: 1983 c 314 art 8 s 14

129B.35 REGIONAL COORDINATORS.

The Minnesota educational computing consortium shall provide regional instructional computing coordinators with expertise in the use of technology in education. The Minnesota educational computing consortium and the department of education shall agree on the services to be provided by the regional coordinators. Among other responsibilities, the regional coordinators shall serve as onsite consultants to districts participating in technology utilization planning and inservice training.

History: 1983 c 314 art 8 s 15

129B.36 TECHNOLOGY DEMONSTRATION SITES.

Subdivision 1. **Site designation.** By January 15, 1984, the state board shall designate from eight to ten districts as technology demonstration sites and award each district a grant for use during the 1983-1984 and 1984-1985 school years.

Subd. 2. **Criteria for selection.** In consultation with the department of education, appropriate regional management information centers, and the Minnesota educational computing consortium, the advisory committee shall develop selection criteria for review by the state board. The state board shall establish selection criteria to be distributed to districts by October 1, 1983. Criteria shall include at least the following:

- (a) exemplary program of technology utilization existing in the district;
- (b) evidence of willingness by district staff and the community to incorporate technology fully into the curriculum to demonstrate new instructional methods;
- (c) willingness to match the grant awarded to the district; and
- (d) willingness to share educational experiences with other interested parties.

For two of the sites, criteria may include participation of Minnesota high technology business or industry. Clause (a) may be excluded as a factor in selection of the two sites, one of which may be a rural district.

Subd. 3. **Sites throughout the state.** To the extent possible, the selected sites shall be geographically well distributed with representation from urban, suburban, and rural areas.

Subd. 4. **Grant awards.** Applications for grants shall be submitted to the state board by December 1, 1983 in the form and manner prescribed by the department. Grants shall be awarded by January 15, 1984.

Subd. 5. **Recipient duties and use of money.** A district selected for a grant shall work cooperatively with the advisory committee, department of education, Minnesota educational computing consortium, higher education institutions in the area, and business and industry, as appropriate. A district selected for a grant shall have a technology utilization plan according to section 129B.33. The district shall conduct at least one workshop each school year of the grant to demonstrate to other districts and interested parties its use of technology in education. Grant money may be used for equipment, consultants, curriculum development, and teacher training.

Subd. 6. **Private funding.** The advisory committee shall seek funding and in-kind contributions from private sources to supplement state money for the purpose of awarding grants. Private contributions may be made directly to the technology demonstration sites.

Subd. 7. **Evaluation of sites.** The state board shall evaluate the technology demonstration sites. It may contract with independent evaluators for this purpose.

History: 1983 c 314 art 8 s 16

129B.37 COURSEWARE PACKAGE EVALUATION.

Subdivision 1. **List.** By January 1, 1984, the department of education shall compile, publish, and distribute to districts a list of high quality courseware packages for use in public elementary and secondary schools. Every six months thereafter, the department shall supplement the list with recently evaluated materials.

Subd. 2. **Procurement.** The department shall obtain courseware packages for evaluation by notifying publishers and inviting them to submit their materials. The department may provide for evaluation of courseware packages that have not been submitted, if districts express strong interest in using the courseware packages.

Subd. 3. **Criteria.** The state board shall develop and adopt criteria and procedures for evaluation of courseware packages, in consultation with the department, advisory committee, appropriate regional management information centers, and the Minnesota educational computer consortium. The procedures developed shall contain a provision for resubmission of a courseware package. Chapter 14 shall not apply to the criteria and procedures.

Subd. 4. **Consultants.** The department may employ consultants to evaluate courseware packages and pay them fees based on the size and complexity of the courseware package involved. The evaluators shall certify to the state board that they have no financial interest in the product being evaluated or any similar or competing product.

Subd. 5. **Evaluation team.** The evaluation team for each courseware package shall include at least five persons, including three practicing teachers, from appropriate grade level or content areas, who will field test the courseware packages in their classrooms; one microcomputer professional knowledgeable in software and documentation techniques; and one curriculum content expert from the department. Each evaluation team member shall use the criteria and procedures adopted by the state board and submit a written report to the department upon completion.

Subd. 6. **High quality.** Based on the reports submitted by evaluation team members and the criteria and procedures adopted by the state board, the department shall determine whether the courseware package qualifies as high quality. The results shall be recorded in a standardized format and be available at the department for review by the courseware package producer and other interested persons.

Subd. 7. **Disposition.** The department shall maintain a collection of the courseware packages evaluated as high quality. These materials shall be available to the public for review.

History: 1983 c 314 art 8 s 17

129B.38 SUBSIDY FOR PURCHASE OF COURSEWARE PACKAGES.

Subdivision 1. **Aid amount.** A district that purchases or leases courseware packages that qualify as high quality according to section 129B.37 shall receive state aid. The aid shall be equal to the lesser of:

(a) \$1.60 times average daily membership for the 1982-1983 school year; or

(b) 25 percent of the actual expenditures of the district for purchase or lease of the courseware packages between January 1, 1984, and May 31, 1985.

Subd. 2. **Aid payment.** Applications for aid shall be submitted in the form and manner prescribed by the department. Payment of aid shall be made by July 31, 1984, for applications received by June 30, 1984. Payment of aid shall be made by June 30, 1985, for applications received between July 1, 1984, and May 31, 1985.

History: 1983 c 314 art 8 s 18

129B.39 PURCHASE OF COURSEWARE PACKAGE DUPLICATION RIGHTS.

Rights to duplication of courseware packages may be purchased, and volume purchase agreements may be established by the department of education, if the department determines that the courseware packages qualify as high quality according to section 129B.37, and if the courseware packages are available to the state at a lower cost than if purchased by school districts individually. The department shall make the courseware packages available to the Minnesota educational computing consortium for distribution to districts. The materials shall be available to districts without cost except for nominal costs of reproduction and distribution.

History: 1983 c 314 art 8 s 19

129B.40 COURSEWARE PACKAGE DEVELOPMENT.

Subdivision 1. **New courseware packages.** The Minnesota educational computing consortium, in consultation with the department of education, is authorized to develop and design courseware packages which will meet the needs of schools districts and which otherwise are unavailable or too expensive for individual districts or the state to purchase. The Minnesota educational computing consortium may:

- (a) contract with school districts, private entrepreneurs, and other public or private agencies for the development of a specified courseware package;
- (b) assist entrepreneurs to develop their own ideas for courseware packages that could be used in school districts, by providing funds for that purpose;
- (c) secure copyrights for those materials in which it has a whole or part interest;
- (d) sell developed courseware packages at cost to school districts in Minnesota and at commercial rates elsewhere; and
- (e) sell or contract for the marketing of courseware packages.

The department of education shall evaluate whether the courseware packages qualify as high quality according to the criteria and procedures established in section 129B.37.

Courseware packages developed according to this subdivision shall become the property of the Minnesota educational computing consortium. Revenue from the sale of these courseware packages shall be used to develop additional courseware packages according to this section.

Subd. 2. **Distribution.** The Minnesota educational computing consortium may sell courseware packages to Minnesota school districts at cost and may sell to school districts in other states and to the general public at commercial rates. Each contract with a developer who shares in the profits of distribution shall include a provision requiring sale of the courseware packages at cost to Minnesota school districts.

History: 1983 c 314 art 8 s 20