

CHAPTER 129B

GRANTS FOR EDUCATION

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COUNCIL ON QUALITY EDUCATION

129B.01 ESTABLISHMENT.

Subdivision 1. **Membership, terms.** There is hereby created a council on quality education consisting of 19 persons. The members of such council shall be appointed as follows:

- (1) One member shall be appointed by the Minnesota education association;
- (2) One member shall be appointed by the Minnesota federation of teachers;
- (3) One member shall be appointed by the Minnesota school board association;
- (4) One member shall be appointed by the Minnesota state advisory council for vocational education;
- (5) One member shall be appointed by the Minnesota state advisory council for special education;
- (6) One member shall be appointed by the state university board;
- (7) One member shall be appointed by the state board for community colleges;
- (8) One member shall be appointed by the regents of the University of Minnesota;

(9) One member shall be appointed by the private college council;

(10) One member from each congressional district and two members at large, shall be appointed by the governor with the advice and consent of the senate, none of whom shall be officers, employees or board members of state educational institutions, departments, agencies or boards.

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: *Ex1971 c 31 art 15 s 1; 1973 c 349 s 2; 1975 c 321 s 2; 1975 c 432 s 5; 1976 c 134 s 3; 1979 c 334 art 7 s 1; 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 education committees of 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: *Ex1971 c 31 art 15 s 2; 1974 c 406 s 55; 1977 c 404 s 1; 1979 c 334 art 7 s 2; 1983 c 314 art 9 s 4; 1984 c 463 art 7 s 17*

129B.03 PROGRAMS FOR HANDICAPPED ADULTS.

Programs funded by the council on quality education may include programs designed to benefit handicapped adults.

History: *1981 c 358 art 6 s 1*

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: *Ex1971 c 31 art 15 s 3; 1974 c 553 s 1; 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. Products sold shall be clearly labeled as products developed pursuant to a grant or loan from the council on quality education.

Subd. 2. [Repealed, 1984 c 463 art 7 s 54]

Subd. 3. **Revolving fund.** The education product and loan repayment revolving account is established in the state treasury. Repayment of loans, made according to section 129B.04, subdivision 2, and sale 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; 1984 c 463 art 7 s 18,19*

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 in-service 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: *Ex1971 c 31 art 15 s 4; 1976 c 134 s 4; 1977 c 404 s 2; 1983 c 314 art 9 s 7*

EARLY CHILDHOOD AND FAMILY EDUCATION ACT

129B.06 CITATION.

Sections 129B.06 to 129B.09 may be cited as "The Early Childhood and Family Education Act".

History: *1979 c 334 art 7 s 3*

NOTE: This section is repealed by Laws 1984, chapter 463, article 4, section 9 effective July 1, 1985. See Laws 1984, chapter 463, article 4, section 11.

129B.07 PURPOSE.

The purposes of sections 129B.06 to 129B.09 are: (a) to strengthen families, (b) to help parents to provide for their children's learning and development, and (c) to help young children to develop their physical, mental and social potentials.

History: *1979 c 334 art 7 s 4*

NOTE: This section is repealed by Laws 1984, chapter 463, article 4, section 9 effective July 1, 1985. See Laws 1984, chapter 463, article 4, section 11.

129B.08 DEFINITIONS.

Subdivision 1. As used in sections 129B.06 to 129B.09, the terms defined in this section have the meanings given them.

Subd. 2. "Early childhood" means the period of life before kindergarten and before age six.

Subd. 3. "Early childhood and family education programs" may include, but are not limited to, the following:

(a) Educational programs for parents on the physical, mental and emotional development of children and on the development of parenthood skills;

(b) Programs for the parents or guardians of children which are designed to strengthen the family unit and to assist the parents or guardians in providing sound early childhood learning and development;

(c) Libraries of books, toys and other educational materials which may be borrowed for home use;

(d) Activities designed to detect children's physical, mental, emotional or behavioral problems that are causing or might cause learning problems. Should the

need for special help be found, the family shall be referred to an appropriate person or agency, but this program shall not pay treatment costs;

(e) Education for parenthood programs in secondary schools to increase the adolescent's awareness of the social, educational and health needs of children and of the role of parents in fostering a child's development;

(f) In-center activities;

(g) Home activity kits; and

(h) Community and resource information and referrals.

History: 1979 c 334 art 7 s 5; 1981 c 358 art 6 s 2

NOTE: This section is repealed by Laws 1984, chapter 463, article 4, section 9 effective July 1, 1985. See Laws 1984, chapter 463, article 4, section 11.

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.

Subd. 2. **Program accounts.** A district providing early childhood and family education programs shall establish and maintain a separate account for the receipt and disbursement of all funds related to the programs.

Subd. 3. **Participants' fees.** A district may charge reasonable fees for early childhood and family education services; however a district shall waive the charge or fee if any participant is unable to pay it.

Subd. 4. **Additional funding.** A school district providing early childhood and family education programs may receive funds for the programs from other governmental agencies and from private sources, including any state or federal funds available for community education or parent education.

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

Subd. 6. **Program coordination.** A district providing early childhood and family education services is strongly encouraged to coordinate this programming with related services provided in the district by other governmental agencies and may develop cooperative programs with nonprofit agencies. State government agencies shall cooperate with a school district in these coordination efforts. A district which provides early childhood and family education programs but does not coordinate its efforts with those of other governmental agencies shall submit an explanatory report to the commissioner of education within one year after the implementation of its programs and each year thereafter in which such coordination is not established.

Subd. 7. **Advisory councils.** The school board of a district providing early childhood and family education programs shall appoint an advisory council. Council members shall be selected from the school attendance area in which the programs are provided. A majority of the members shall be parents participating in the local program. The local advisory council shall assist the education board in the development, coordination, supervision and review of early childhood and family education services in the area and shall suggest priorities for child learning and development services in the community. The council shall report to the school board and the district community education advisory council, if that council has been established in the district.

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.

Subd. 9. **Personnel.** A school board may employ and discharge personnel necessary for its early childhood and family education programs. All professional early childhood and family education personnel shall have the qualifications required by the council on quality education and the employing school district.

Subd. 10. **Voluntary participation.** Participation by parents and children in early childhood and family education programs shall be voluntary and shall not preclude participation in other state or local programs. To the extent possible, each school district providing early childhood and family education programs shall seek the participation of minority and economically disadvantaged persons in the same proportion as these groups are represented in the area served by the program. Upon request, the school districts shall report on the success of these efforts to the council on quality education. No school district shall discriminate in providing early childhood and family education programs on the basis of race, religion, sex or ethnic background, and no programs shall be used in whole or in part for religious worship or instruction.

Subd. 11. **State board of education.** The state board of education shall:

- (a) Annually review district early childhood and family education programs;
- (b) Apply for funds which are, or may become, available under federal programs pertaining to early childhood and family education, including funds for administration, demonstration projects, training, technical assistance, planning, and evaluation;
- (c) Encourage cooperation in the delivery of services by districts operating early childhood and family education programs;
- (d) Inform the public about early childhood development services;
- (e) Provide professional and technical assistance to school districts providing early childhood and family education programs.

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: 1979 c 334 art 7 s 6; 1980 c 609 art 4 s 1,22; 1981 c 358 art 6 s 3-5; 1983 c 260 s 29; 1983 c 314 art 9 s 8,9

NOTE: This section is repealed by Laws 1984, chapter 463, article 4, section 9 effective July 1, 1985. See Laws 1984, chapter 463, article 4, section 11.

129B.10 RESEARCH AND DEVELOPMENT GRANTS.

Subdivision 1. **Purpose.** The purpose of this section is to support research on alternative educational structures and practices within public schools and to develop alternatives that are based on research.

Subd. 2. **Advisory task force.** The council on quality education shall appoint an advisory task force on research and development for alternative educational structures and practices. The advisory task force shall consist of at least 11

members. All members shall have knowledge and experience in educational research, educational administration, or teaching. The advisory task force shall assist the council in carrying out its responsibilities under this section. The terms, compensation, and removal of members shall be governed by the provisions of section 15.059, subdivision 6.

Subd. 3. Research and development subjects. The council shall select subjects for research and development focusing on alternative educational structures and practices. The subjects may include, but are not limited to, the following:

- (1) school site management;
- (2) development of individualized education plans for all students;
- (3) alternative staff compensation plans;
- (4) alternative educational delivery systems;
- (5) outcome based education; and
- (6) provision of educational programs in school districts by contracting with professional partnerships composed of licensed teachers.

Subd. 4. Preliminary studies. The council shall contract for preliminary studies to assist it in establishing research and development needs and selecting subjects for proposals. Preliminary studies shall include recommendations for evaluation procedures which the council may use if the council issues a grant for research and development in that particular subject.

Subd. 5. Report to legislature; subjects. By February 1, 1985, the council shall report to the education committees of the legislature on the research needs that the council has identified, the recommended subjects for proposals, and the potential need for changes in rules and laws to facilitate the research and development programs. The report shall include specific proposals for independent evaluation of research and development programs which will be funded under the provisions of this section. The legislature shall consider the recommendations of the council in determining the appropriation for grants to be disbursed under the provisions of this section.

Subd. 6. Research and development grants. By June 1, 1985, the council shall request proposals on three to six research and development subjects. Each request for proposals shall state the method by which a funded program will be evaluated. By September 1, 1985, the council shall review the proposals it receives and award grants.

Subd. 7. Report to legislature; research reports. By February 1, 1988, the council shall report to the education committees of the legislature. The report shall include the council's evaluation of each research and development program, recommendations for institutional changes in the structure of elementary and secondary education, and recommendations for other ways of improving elementary and secondary education.

History: 1984 c 463 art 8 s 9

COMPREHENSIVE ARTS IN EDUCATION PLANNING GRANTS

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

MINNESOTA EDUCATION TECHNOLOGY ACT**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, software, supporting materials, such as workbooks and textbooks, and other computer support hardware that is an integral part of an educational software package, such as a printed circuit board, voice synthesizer which enables speech production and its speaker, tap master, valve simulator, and digital to analog converter board. It does not mean a central processing unit, disk drive, video monitor, printer, or similar items.

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; 1984 c 463 art 8 s 10

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

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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 advisory committee shall evaluate the technology demonstration sites. It may contract with independent evaluators for this purpose.

History: 1983 c 314 art 8 s 16; 1984 c 463 art 8 s 11

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.

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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

129B.41 CITATION.

Sections 129B.41 to 129B.47 may be cited as the "Minnesota Improved Learning and Principal-Teacher, Counselor-Teacher, and Career Teacher Act."

History: 1981 c 358 art 6 s 6; 1983 c 314 art 9 s 12

129B.42 PURPOSE.

The legislature recognizes the unique and lifelong learning process of all human beings. The legislature is committed to the goal of maximizing the individual growth potential of all students through the secondary schools. The purposes of sections 129B.41 to 129B.47 are:

- (a) To offer improved learning programs which emphasize basic and applied learning skills and the liberal arts;
- (b) To recognize and utilize the unique skills that teachers, students, family, and the community have in both the teaching process and the learning process; and
- (c) To provide an opportunity for maximum use of principals and teachers.

History: 1981 c 358 art 6 s 7; 1983 c 314 art 9 s 12

129B.43 PROGRAM SELECTION.

Subdivision 1. Authorization. A school district or group of districts that wishes to receive a grant for improved learning programs may apply to the council on quality education for approval. Programs may be approved for one portion of a school population, one or several attendance areas, or one or a group of districts.

Subd. 2. Applications. The council on quality education shall prescribe the form and manner of annual application for the program. The application may include estimates of salaries and fringe benefits for the next school year and for the additional time beyond the regular contract period for staff to be employed. The council shall require that each program be evaluated and it may contract for additional evaluation.

Subd. 3. **Declining grant amounts.** An improved learning program may receive grants for not more than three years. The grant amount for the second year of a program shall not exceed 75 percent of the grant amount for the first year. The grant amount for the third year of a program shall not exceed 50 percent of the grant amount for the first year. The council shall notify each recipient that no grant will be awarded after the third year and that the recipient is expected to continue successful programs without grants.

Subd. 4. **Rules and rights.** On recommendation of the council of quality education, the state board of education may waive school district compliance with its rules which would prevent implementation of an improved learning program. Participation in an improved learning program as a principal-teacher, counselor-teacher, or career teacher shall not affect seniority in the district or rights under the applicable collective bargaining agreement.

Subd. 5. **Additional funding.** A school district providing an improved learning program may receive funds for the program from private sources and governmental agencies, including state or federal funds.

Subd. 6. **Report.** The council on quality education shall submit a report to the education committees of the legislature by February 1 each year. This report shall include the number and description of programs approved, implementation status of programs approved, waivers granted, and evaluation of programs approved.

History: 1981 c 358 art 6 s 8; 1983 c 314 art 9 s 1,12; 1984 c 463 art 7 s 2

129B.44 ADVISORY COUNCIL.

The school board of a district providing an improved learning program shall appoint an advisory council. Council members shall be selected from the school attendance area in which programs are provided. Members of the council may include students, teachers, principals, administrators and community members. A majority of the members shall be parents with children participating in the local program. The local advisory council shall advise the school board in the development, coordination, supervision, and review of the improved learning program. The council shall meet at least two times each year with any established community education advisory council in the district. Members of the council may be members of the community education advisory council. The council shall report to the school board.

History: 1981 c 358 art 6 s 9; 1983 c 314 art 9 s 12

129B.45 PROGRAM COMPONENTS.

Subdivision 1. **Mandatory components.** An improved learning program shall include:

- (a) participation by a designated individual as a principal-teacher, career teacher, or counselor-teacher, as defined in sections 129B.46 and 129B.47;
- (b) a plan to involve parents in planning the educational experiences of their children;
- (c) an annual plan for the district to evaluate program goals and objectives;
- (d) a plan for the district to fund the program after the third year of the program.

Subd. 2. **Optional components.** An improved learning program may include:

- (a) efforts to improve curricula strategies, instructional strategies, and use of materials which respond to the individual educational needs and learning styles of each pupil in order to enable each pupil to make continuous progress and to learn at a rate appropriate to that pupil's abilities;
- (b) efforts to develop student abilities in basic skills; applied learning skills; and, when appropriate, arts; humanities; physical, natural, and social sciences;

multicultural education; physical, emotional, and mental health; consumer economics; and career education;

(c) use of community resources and communications media to pursue improved learning opportunities for pupils;

(d) staff development for teachers and other school personnel;

(e) improvements to the learning environment, including use of the community in general, to enhance the learning process;

(f) cooperative efforts with other agencies involved with human services or child development and development of alternative community based learning experiences;

(g) apprenticeship post-secondary education components for pupils who are able to accelerate or programs for pupils with special abilities and interests who are given advanced learning opportunities within existing programs;

(h) use of volunteers in the learning program;

(i) flexible attendance schedules for pupils;

(j) adult education component;

(k) coordination with early childhood and family education programs;

(l) variable student/faculty ratios for special education students to provide for special programming;

(m) inclusion of nonpublic pupils as part of the ratio in the principal-teacher and career teacher component;

(n) application of educational research findings;

(o) summer learning experiences for students as recommended by the principal-teacher and career teacher;

(p) use of educational assistants, teacher aides or paraprofessionals as part of the improved learning program;

(q) establishment of alternative criteria for high school graduation; and

(r) variable age and class size groupings of students.

History: 1981 c 358 art 6 s 10; 1983 c 314 art 9 s 2,12

129B.46 PRINCIPAL-TEACHER AND CAREER TEACHER COMPONENT.

Subdivision 1. Status. An improved learning program may include a principal-teacher and career teacher component. The principal-teacher and career teacher shall not be the exclusive teacher for students assigned to him or her but shall serve the function of developing and implementing a student's overall learning program. The principal-teacher and career teacher may be responsible for regular classroom assignments as well as learning programs for other students assigned to him or her.

Subd. 2. Qualifications. (a) An individual employed as a principal-teacher must be licensed as a principal by the state board of education and shall be considered a principal as defined in section 179A.03, subdivision 12, for purposes of the Public Employment Labor Relations Act.

(b) An individual employed as a career teacher must be licensed as a teacher by the state board of teaching and shall be considered a teacher as defined in section 179A.03, subdivision 18, for purposes of the Public Employment Labor Relations Act.

Subd. 3. Staff/student ratio. (a) Except as provided in clause (b), one principal-teacher or career teacher shall be assigned for every 125 students. For each special education student included in the assignment, the 1:125 ratio shall be reduced by one.

(b) One principal-teacher shall be assigned for every 50 students when the principal-teacher is also the principal of the school.

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Subd. 4. **Selection; renewal.** (a) The school board shall establish procedures for teachers and principals to apply for the position of principal-teacher and career teacher. The authority for selection of principal-teachers and career teachers shall be vested in the board and no individual shall have a right to employment as a principal-teacher or career teacher based on seniority or order of employment in the district.

(b) Employment of the principal-teacher and career teacher shall be on a 12-month basis with vacation time negotiated individually with the board. The annual contract of a principal-teacher or career teacher may not be renewed, as the board shall see fit; provided, however, the board shall give any such teacher whose contract as a principal-teacher or career teacher it declines to renew for the following year written notice to that effect before April 15. If the board fails to renew the contract of a principal-teacher or career teacher, that individual shall be reinstated to another position in the district if eligible pursuant to section 125.12 or 125.17.

Subd. 5. **Duties.** The principal-teacher and career teacher shall be responsible for:

(a) The overall education and learning plan of students assigned to him or her. This plan shall be designed by the principal-teacher and career teacher with the student, parents, and other faculty, and shall seek to maximize the learning potential and maturation level of each pupil;

(b) Measuring the proficiency of the students assigned to him or her and assisting other staff in identifying pupil needs and making appropriate educational and subject groupings;

(c) When part of the district's plan, taking responsibility for the parent and early childhood education of students assigned to him or her;

(d) Designing and being responsible for program components which meet special learning needs of high potential and talented students; and

(e) Coordinating the ongoing, year-to-year learning program for students assigned to him or her.

History: 1981 c 358 art 6 s 11; 1983 c 314 art 9 s 12; 1984 c 462 s 27

129B.47 COUNSELOR-TEACHER COMPONENT.

Subdivision 1. **Status.** An improved learning program may include a counselor-teacher component. The counselor-teacher shall not be the exclusive teacher with respect to the learning process of students assigned to him or her.

Subd. 2. **Qualifications.** An individual employed as a counselor-teacher must be licensed as a counselor by the state board of education and shall be considered a teacher as defined in section 179A.03, subdivision 18, for purposes of the Public Employment Labor Relations Act.

Subd. 3. **Staff/student ratio.** One counselor-teacher shall be assigned for every 125 students. For each special education student included in the assignment, the 1:125 ratio shall be reduced by one.

Subd. 4. **Selection; renewal.** The annual contract of a counselor-teacher may not be renewed, as the board shall see fit; provided, however, the board shall give any such counselor whose contract for the counselor-teacher it declines to renew for the following year written notice to that effect before April 15. If the board fails to renew the contract of a counselor-teacher, that individual shall be reinstated to another position in the district if eligible pursuant to section 125.12 or 125.17.

Subd. 5. **Duties.** The counselor-teacher shall be responsible for providing guidance and counseling services to students assigned to him or her. This includes working with individual students, groups of students and families.

History: 1981 c 358 art 6 s 12; 1983 c 314 art 9 s 12; 1984 c 462 s 27