

This Document can be made available
in alternative formats upon request

State of Minnesota

Printed
Page No. **397**

HOUSE OF REPRESENTATIVES

EIGHTY-SEVENTH SESSION

H. F. No. 2310

02/15/2012 Authored by Erickson
The bill was read for the first time and referred to the Committee on Education Reform
03/14/2012 Adoption of Report: Pass as Amended and Read Second Time

1.1 A bill for an act
1.2 relating to education; repealing obsolete statutes; amending Minnesota Statutes
1.3 2010, sections 120A.22, subdivision 2; 126C.12, subdivision 2; repealing
1.4 Minnesota Statutes 2010, sections 120A.28; 120B.019; 120B.13, subdivision
1.5 1; 120B.31, subdivision 3; 121A.60, subdivisions 3, 4; 121A.62; 121A.63;
1.6 122A.18, subdivision 9.

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

1.8 **ARTICLE 1**

1.9 **OBSOLETE STATUTES**

1.10 Section 1. **REPEALER.**

1.11 Minnesota Statutes 2010, sections 120A.28; 120B.019; 120B.13, subdivision 1;
1.12 120B.31, subdivision 3; 121A.60, subdivisions 3 and 4; 121A.62; 121A.63; and 122A.18,
1.13 subdivision 9, are repealed.

1.14 **ARTICLE 2**

1.15 **CONFORMING AMENDMENTS**

1.16 Section 1. Minnesota Statutes 2010, section 120A.22, subdivision 2, is amended to
1.17 read:

1.18 Subd. 2. **Applicability.** This section and sections 120A.24; 120A.26; ~~120A.28;~~
1.19 120A.30; 120A.32; and 120A.34 apply only to a child required to receive instruction
1.20 according to subdivision 5 and to instruction that is intended to fulfill that requirement.

1.21 Sec. 2. Minnesota Statutes 2010, section 126C.12, subdivision 2, is amended to read:

2.1 Subd. 2. **Definitions.** (a) "Classroom teacher" means a public employee licensed by
2.2 the board of teaching who is authorized to teach all subjects to children in any grade in
2.3 kindergarten through grade 6 and whose duties are full-time regular classroom instruction,
2.4 excluding a teacher for whom federal aids are received or for whom categorical aids are
2.5 received under section 125A.76 or who is an itinerant teacher or provides instruction
2.6 outside of the regular classroom. ~~Except as provided in section 122A.68, subdivision 6,~~
2.7 Classroom teacher does not include supervisory and support personnel defined in section
2.8 122A.15. A classroom teacher whose duties are less than full-time instruction must be
2.9 included as an equivalent only for the number of hours of instruction in kindergarten
2.10 through grade 3.

2.11 (b) "Class size" means the districtwide ratio at each grade level of the number of
2.12 full-time students in kindergarten through grade 3 served at least 40 percent of the time in
2.13 regular classrooms to the number of full-time classroom teachers in kindergarten through
2.14 grade 3, determined as of October 1 of each school year.

APPENDIX
Article locations in H2310-1

ARTICLE 1 OBSOLETE STATUTES Page.Ln 1.8
ARTICLE 2 CONFORMING AMENDMENTS Page.Ln 1.14

120A.28 SCHOOL BOARDS; DUTIES.

It is the duty of each board through its clerk or other authorized agent or employee, to report the names of children required to attend school, with excuses, if any, granted in the district, to the superintendent or principals of the district, within the first week of school. Subsequent excuses granted must be reported in the same manner. The clerk or principal must provide the teachers in the several schools supervised with the necessary information for the respective grades of school, relating to the list of pupils with excuses granted. Within five days after receiving the report, the clerk or principals must report the names of children not excused who are not attending school, with the names and addresses of their parents, to the superintendent.

120B.019 REPEALING PROFILE OF LEARNING STATUTES AND RULES.

Notwithstanding sections 120B.02, 120B.30, 120B.31, and 120B.35, or other law to the contrary, the commissioner of education must not implement the profile of learning portion of the state's results-oriented graduation rule.

120B.13 ADVANCED PLACEMENT AND INTERNATIONAL BACCALAUREATE PROGRAMS.

Subdivision 1. **Program structure; training programs for teachers.** (a) The advanced placement and international baccalaureate programs are well-established academic programs for mature, academically directed high school students. These programs, in addition to providing academic rigor, offer sound curricular design, accountability, comprehensive external assessment, feedback to students and teachers, and the opportunity for high school students to compete academically on a global level. Advanced placement and international baccalaureate programs allow students to leave high school with the academic skills and self-confidence to succeed in college and beyond. The advanced placement and international baccalaureate programs help provide Minnesota students with world-class educational opportunity.

(b) Critical to schools' educational success is ongoing advanced placement/international baccalaureate-approved teacher training. A secondary teacher assigned by a district to teach an advanced placement or international baccalaureate course or other interested educator may participate in a training program offered by The College Board or International Baccalaureate North America, Inc. The state may pay a portion of the tuition, room, board, and out-of-state travel costs a teacher or other interested educator incurs in participating in a training program. The commissioner shall determine application procedures and deadlines, select teachers and other interested educators to participate in the training program, and determine the payment process and amount of the subsidy. The procedures determined by the commissioner shall, to the extent possible, ensure that advanced placement and international baccalaureate courses become available in all parts of the state and that a variety of course offerings are available in school districts. This subdivision does not prevent teacher or other interested educator participation in training programs offered by The College Board or International Baccalaureate North America, Inc., when tuition is paid by a source other than the state.

120B.31 SYSTEM ACCOUNTABILITY AND STATISTICAL ADJUSTMENTS.

Subd. 3. **Educational accountability.** (a) The Independent Office of Educational Accountability, as authorized by Laws 1997, First Special Session chapter 4, article 5, section 28, subdivision 2, is established, and shall be funded through the Board of Regents of the University of Minnesota. The office shall advise the education committees of the legislature and the commissioner of education, at least on a biennial basis, on the degree to which the statewide educational accountability and reporting system includes a comprehensive assessment framework that measures school accountability for students achieving the goals described in the state's high school graduation rule. The office shall determine and annually report to the legislature whether and how effectively:

(1) the statewide system of educational accountability uses multiple indicators to provide valid and reliable comparative and contextual data on students, schools, districts, and the state, and if not, recommend ways to improve the accountability reporting system;

(2) a value-added growth indicator of student achievement over time estimates the effects of the school and school district on student achievement and measures school performance, consistent with section 120B.35, subdivision 3, paragraph (b);

APPENDIX

Repealed Minnesota Statutes: H2310-1

(3) data are available on students who do not pass one or more of the state's required GRAD tests and do not receive a diploma as a consequence, and these data are categorized according to gender, race, eligibility for free or reduced lunch, and English language proficiency; and

(4) the requirements under section 127A.095, subdivision 2, are met.

(b) When the office reviews the statewide educational accountability and reporting system, it shall also consider:

(1) the objectivity and neutrality of the state's educational accountability system; and

(2) the impact of a testing program on school curriculum and student learning.

121A.60 DEFINITIONS.

Subd. 3. **School site mediation board.** "School site mediation board" means a board representative of parents of students in the building, staff, and students that shall have the responsibilities as defined in section 121A.62. The principal or other person having general control and supervision of the school, shall serve as an ex officio member of the board.

Subd. 4. **School-based ombudsperson.** "School-based ombudsperson" means an administrator, a teacher, a parent, or a student representative who shall have the responsibilities under section 121A.63.

121A.62 SCHOOL SITE MEDIATION BOARD.

Subdivision 1. **Board allowed.** A school district or school site council may establish a school site mediation board. The board must consist of equal numbers of staff and parents and, in the case of secondary schools, student representatives. Members shall be representative of the school community and must be selected by a method as determined in the district's discipline policy.

Subd. 2. **Purposes and duties.** The board must mediate issues in dispute at the school site related to the implementation of district and school site codes of conduct under sections 121A.60 to 121A.64, and the application of the codes to a student.

121A.63 OMBUDSPERSON SERVICE.

A school district or school site council may establish an ombudsperson service for students, parents, and staff. The service must consist of an administrator, a student, a parent, and a teacher. The school site must notify students, parents, and staff of the availability of the service. The service must provide advocacy for enforcement of the codes of conduct and the procedures to remediate disputes related to implementation of the code of conduct and the goals of the school in maintaining an orderly learning environment for all students.

122A.18 BOARD TO ISSUE LICENSES.

Subd. 9. **Teacher licenses.** The Board of Teaching, upon request by the affected person, shall issue teacher licenses under the licensure rules in place on July 31, 1996, to a person who enrolled in an accredited teacher preparation program by January 1, 2000, who satisfactorily completes the requirements for licensure under those rules, who meets the requirements of subdivision 8, and who applies for licensure by September 1, 2003.