

State of Minnesota
HOUSE OF REPRESENTATIVES

EIGHTY-NINTH SESSION

H. F. No. 3008

03/14/2016 Authored by Barrett and Christensen

The bill was read for the first time and referred to the Committee on Education Innovation Policy

1.1 A bill for an act
1.2 relating to education; establishing additional accountability measures for charter
1.3 schools serving at-risk student populations; amending Minnesota Statutes 2015
1.4 Supplement, section 124E.10, subdivision 1, by adding a subdivision.

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

1.6 Section 1. Minnesota Statutes 2015 Supplement, section 124E.10, subdivision 1, is
1.7 amended to read:

1.8 Subdivision 1. **Contents.** (a) The authorization for a charter school must be in the
1.9 form of a written contract signed by the authorizer and the board of directors of the charter
1.10 school. The contract must be completed within 45 business days of the commissioner's
1.11 approval of the authorizer's affidavit. The authorizer shall submit to the commissioner a
1.12 copy of the signed charter contract within ten business days of its execution. The contract
1.13 for a charter school must be in writing and contain at least the following:

1.14 (1) a declaration that the charter school will carry out the primary purpose in section
1.15 124E.01, subdivision 1, and how the school will report its implementation of the primary
1.16 purpose;

1.17 (2) a declaration of the additional purpose or purposes in section 124E.01,
1.18 subdivision 1, that the school intends to carry out and how the school will report its
1.19 implementation of those purposes;

1.20 (3) a description of the school program and the specific academic and nonacademic
1.21 outcomes that pupils must achieve;

1.22 (4) a statement of admission policies and procedures;

1.23 (5) a governance, management, and administration plan for the school;

(6) signed agreements from charter school board members to comply with all federal and state laws governing organizational, programmatic, and financial requirements applicable to charter schools;

(7) the criteria, processes, and procedures that the authorizer will use to monitor and evaluate the fiscal, operational, and academic performance consistent with subdivision 3, paragraphs (a) and (b);

(8) for contract renewal, the formal written performance evaluation of the school that is a prerequisite for reviewing a charter contract under subdivision 3;

(9) types and amounts of insurance liability coverage to be obtained by the charter school, consistent with section 124E.03, subdivision 2, paragraph (d);

(10) consistent with section 124E.09, paragraph (d), a provision to indemnify and hold harmless the authorizer and its officers, agents, and employees from any suit, claim, or liability arising from any operation of the charter school, and the commissioner and department officers, agents, and employees notwithstanding section 3.736;

(11) the term of the initial contract, which may be up to five years plus an additional preoperational planning year, and up to five years for a renewed contract or a contract with a new authorizer after a transfer of authorizers, if warranted by the school's academic, financial, and operational performance;

(12) how the board of directors or the operators of the charter school will provide special instruction and services for children with a disability under sections 125A.03 to 125A.24, and 125A.65, a description of the financial parameters within which the charter school will operate to provide the special instruction and services to children with a disability;

(13) the specific conditions for contract renewal that identify performance of all students under the primary purpose of section 124E.01, subdivision 1, as the most important factor in determining contract renewal;

(14) the additional purposes under section 124E.01, subdivision 1, and related performance obligations under clause (7) contained in the charter contract as additional factors in determining contract renewal; and

(15) the plan for an orderly closing of the school under chapter 317A, whether the closure is a termination for cause, a voluntary termination, or a nonrenewal of the contract, that includes establishing the responsibilities of the school board of directors and the authorizer and notifying the commissioner, authorizer, school district in which the charter school is located, and parents of enrolled students about the closure, information and assistance sufficient to enable the student to re-enroll in another school, the transfer

of student records under section 124E.03, subdivision 5, paragraph (b), and procedures for closing financial operations.

~~(b) A charter school must design its programs to at least meet the outcomes adopted by the commissioner for public school students. In the absence of the commissioner's requirements, the school must meet the outcomes contained in the contract with the authorizer. The achievement levels of the outcomes contained in the contract may exceed the achievement levels of any outcomes adopted by the commissioner for public school students.~~

Sec. 2. Minnesota Statutes 2015 Supplement, section 124E.10, is amended by adding a subdivision to read:

Subd. 1a. **Pupil performance.** (a) A charter school must design its programs to at least meet the outcomes adopted by the commissioner for public school students. In the absence of the commissioner's requirements, the school must meet the outcomes contained in the contract with the authorizer. The achievement levels of the outcomes contained in the contract may exceed the achievement levels of any outcomes adopted by the commissioner for public school students.

(b) Notwithstanding any other law to the contrary, a charter school where at least 70 percent of enrolled pupils are eligible to participate in the graduation incentives program under section 124D.68, or where the charter school contract limits admission to pupils eligible to participate in the graduation incentives program under section 124D.68, is subject to statewide accountability measures applicable to public schools under chapter 120B, but consistent with the alternative measures established under this paragraph and Minnesota Graduation Standards. For eligible schools, the written charter contract under subdivision 1 between the charter school authorizer and the school's board of directors shall be based on the student academic, career and college readiness, and student engagement performance measures established under this paragraph.

(1) Thirty percent of any performance evaluation of a charter school under this paragraph shall be based on longitudinal data showing student achievement and growth on a nationally or state-normed assessment for groups of ten or more students who are continuously enrolled in the charter school for at least 120 school days before the assessment is administered.

(2) Forty percent of any student performance evaluation of a charter school under this paragraph shall be based on demonstrated growth in any four of the following postsecondary and workforce readiness measures, as stipulated in the charter school contract and demonstrated by the requisite evidence:

4.1 (i) a three-year average graduation rate for students who complete high school
4.2 in four, five, or six years;

4.3 (ii) a three-year graduation rate for noncontinuously enrolled students who complete
4.4 high school in seven years;

4.5 (iii) average student drop-out rate for students who leave the charter school in a
4.6 single year without pursuing an education alternative;

4.7 (iv) the participation rate and composite score of those students in a school year
4.8 taking a national postsecondary or workforce readiness assessment such as the ACT,
4.9 PSAT, SAT, ACCUPLACER, or ASVAB;

4.10 (v) the percentage of students in the 12th grade cohort, as identified by the number
4.11 of completed course credits at the beginning of the school year, who graduate within
4.12 that school year;

4.13 (vi) the percentage of students in a school year who successfully transfer to another
4.14 education program, including those leading to a diploma, credential or degree, or care
4.15 and treatment program;

4.16 (vii) the percentage of students in the previous school year who complete an
4.17 education program, receive a diploma, enroll in a postsecondary program or institution,
4.18 enlist in the military, or obtain full-time employment;

4.19 (viii) the percentage of students in a school year who successfully complete the
4.20 number of course credits they need to stay on track to graduate within an established
4.21 timeline;

4.22 (ix) the percentage of students in a school year who successfully meet work
4.23 certification or preapprenticeship program requirements; or

4.24 (x) the percentage of students in a school year who earn dual enrollment credits
4.25 through the Postsecondary Enrollment Options Act or other dual credit program.

4.26 (3) Thirty percent of any student performance evaluation of a charter school under
4.27 this paragraph shall be based on data from any three of the following student engagement
4.28 measures applied to groups of ten or more students who are continuously enrolled in
4.29 the charter school for at least 120 days:

4.30 (i) a three-year average daily attendance rate;

4.31 (ii) a demonstrated percentage improvement in attendance by a cohort;

4.32 (iii) a three-year average of the total number of days students are reported as truant;

4.33 (iv) the number of student dropouts who enroll in the school and remain continuously
4.34 enrolled throughout that school year;

4.35 (v) the percentage of students in a school year or a 12-month period who participate
4.36 in and demonstrate growth on character and social competency assessments measuring

5.1 decision-making skills, career readiness, education or aspiration goals, and similar
5.2 characteristics or competencies; or

5.3 (vi) the percentage of students in a school year who meet the community service
5.4 goals in their individual learning plan as measured by the charter school's citizenship
5.5 and community outcomes rubric.

5.6 **EFFECTIVE DATE.** This section is effective for the 2016-2017 school year and
5.7 later.