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State of Minnesota
HOUSE OF REPRESENTATIVES

EIGHTY-SEVENTH SESSION

H. F. No. **1510**

04/18/2011 Authored by Erickson

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

03/05/2012 Adoption of Report: Pass as Amended and re-referred to the Committee on Education Finance

1.1 A bill for an act
1.2 relating to education; modifying certain alternative compensation and
1.3 professional development provisions for teachers; making alternative
1.4 compensation revenue available for principals and assistant principals; amending
1.5 Minnesota Statutes 2010, sections 122A.413, subdivision 2; 122A.414,
1.6 subdivisions 1a, 2; 122A.60, subdivisions 1a, 3; Minnesota Statutes 2011
1.7 Supplement, section 123B.147, subdivision 3; proposing coding for new law
1.8 in Minnesota Statutes, chapter 122A.

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

1.10 Section 1. Minnesota Statutes 2010, section 122A.413, subdivision 2, is amended to
1.11 read:

1.12 Subd. 2. **Plan components.** The school board must approve an educational
1.13 improvement plan ~~must be approved by the school board and have~~ that is consistent with
1.14 section 122A.40, subdivision 8, or 122A.41, subdivision 5, and has at least these elements:

- 1.15 (1) assessment and evaluation tools to measure student performance and progress;
- 1.16 (2) performance goals and benchmarks for improvement;
- 1.17 (3) measures of student attendance and completion rates;
- 1.18 (4) a rigorous research and practice-based professional development system, based
1.19 on national and state standards of effective teaching practice and consistent with section
1.20 122A.60, that is aligned with educational improvement and designed to achieve ongoing
1.21 and schoolwide progress and growth in teaching practice;
- 1.22 (5) measures of student, family, and community involvement and satisfaction;
- 1.23 (6) a data system about students and their academic progress that provides parents
1.24 and the public with understandable information;
- 1.25 (7) a teacher induction and mentoring program for probationary teachers that
1.26 provides continuous learning and sustained teacher support; and

2.1 (8) substantial participation by the exclusive representative of the teachers in
2.2 developing the plan.

2.3 **EFFECTIVE DATE.** This section is effective the day following final enactment.

2.4 Sec. 2. Minnesota Statutes 2010, section 122A.414, subdivision 1a, is amended to read:

2.5 Subd. 1a. **Transitional planning year.** (a) To be eligible to participate in an
2.6 alternative teacher professional pay system, a school district, intermediate school district,
2.7 or site, at least one school year before it expects to fully implement an alternative pay
2.8 system, must:

2.9 (1) submit to the department a letter of intent executed by the school district or
2.10 intermediate school district and the exclusive representative of the teachers to complete a
2.11 plan preparing for full implementation, consistent with subdivision 2, that may include,
2.12 among other activities, training to evaluate teacher performance consistent with section
2.13 122A.40, subdivision 8, or 122A.41, subdivision 5, a restructured school day to develop
2.14 integrated ongoing site-based professional development activities, release time to develop
2.15 an alternative pay system agreement, and teacher and staff training on using multiple
2.16 data sources; and

2.17 (2) agree to use up to two percent of basic revenue for staff development purposes,
2.18 consistent with sections 122A.60 and 122A.61, to develop the alternative teacher
2.19 professional pay system agreement under this section.

2.20 (b) To be eligible to participate in an alternative teacher professional pay system, a
2.21 charter school, at least one school year before it expects to fully implement an alternative
2.22 pay system, must:

2.23 (1) submit to the department a letter of intent executed by the charter school and the
2.24 charter school board of directors;

2.25 (2) submit the record of a formal vote by the teachers employed at the charter
2.26 school indicating at least 70 percent of all teachers agree to implement the alternative
2.27 pay system; and

2.28 (3) agree to use up to two percent of basic revenue for staff development purposes,
2.29 consistent with sections 122A.60 and 122A.61, to develop the alternative teacher
2.30 professional pay system.

2.31 (c) The commissioner may waive the planning year if the commissioner determines,
2.32 based on the criteria under subdivision 2, that the school district, intermediate school
2.33 district, site or charter school is ready to fully implement an alternative pay system.

2.34 **EFFECTIVE DATE.** This section is effective the day following final enactment.

3.1 Sec. 3. Minnesota Statutes 2010, section 122A.414, subdivision 2, is amended to read:

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

3.7 (b) The alternative teacher professional pay system agreement must be consistent
3.8 with section 122A.40, subdivision 8, or 122A.41, subdivision 5, and must:

3.9 (1) describe how teachers can achieve career advancement and additional
3.10 compensation;

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

3.15 (3) reform the "steps and lanes" salary schedule, prevent any teacher's compensation
3.16 paid before implementing the pay system from being reduced as a result of participating
3.17 in this system, and base at least 60 percent of any compensation increase on teacher
3.18 performance using:

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

3.21 (ii) measures of student achievement; and

3.22 (iii) an objective evaluation program that includes:

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

3.25 (B) objective evaluations using multiple criteria conducted by a locally selected and
3.26 periodically trained ~~evaluation team that~~ evaluator who understands teaching and learning;

3.27 (4) provide integrated ongoing site-based professional development activities to
3.28 improve instructional skills and learning that are aligned with student needs under section
3.29 122A.413, consistent with the staff development plan under section 122A.60 and led
3.30 during the school day by trained teacher leaders such as master or mentor teachers;

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

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

4.1 **EFFECTIVE DATE.** This section is effective the day following final enactment
4.2 and applies to all applications to participate in the alternative teacher professional pay
4.3 system submitted to the commissioner of education after that date.

4.4 Sec. 4. **[122A.4152] ALTERNATIVE COMPENSATION REVENUE FOR**
4.5 **SCHOOL PRINCIPALS.**

4.6 (a) Notwithstanding sections 122A.413, 122A.414, 122A.4144, 122A.415, or
4.7 other law to the contrary, alternative teacher compensation revenue is also available for
4.8 school principals and assistant principals who are employed in a school or district with
4.9 an approved plan for implementing an alternative teacher professional pay system. To
4.10 make principals and assistant principals eligible to receive alternative professional pay
4.11 under this section, a participating school or district must: submit a letter of intent to
4.12 the commissioner to participate under this section; develop a supplemental educational
4.13 improvement plan for principals that is consistent with the structure and terms of the
4.14 educational improvement plan for teachers currently in effect in the school or district
4.15 and section 123B.147, subdivision 3; and receive the commissioner's approval of the
4.16 supplemental plan. For participating districts under this section, the school board and the
4.17 exclusive representative of the principals also must agree to the plan.

4.18 (b) Consistent with paragraph (a), the department must develop and disseminate
4.19 model supplemental educational improvement plans based on the needs and characteristics
4.20 of school principals and assistant principals and section 123B.147, subdivision 3.

4.21 **EFFECTIVE DATE.** This section is effective September 1, 2012, and applies to
4.22 all alternative teacher professional pay system agreements entered into or modified after
4.23 that date.

4.24 Sec. 5. Minnesota Statutes 2010, section 122A.60, subdivision 1a, is amended to read:

4.25 Subd. 1a. **Effective staff development activities.** (a) Staff development activities
4.26 must:

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

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

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

4.33 (4) enhance teacher content knowledge and instructional skills;

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

5.1 (6) provide opportunities to build professional relationships, support entry-level
 5.2 teachers through teacher induction programs that encourage principal participation, foster
 5.3 collaboration among principals and instruction staff ~~who provide instruction~~, and provide
 5.4 opportunities for teacher-to-teacher mentoring; and

5.5 (7) align with the plan of the district or site for an alternative teacher professional
 5.6 pay system.

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

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

5.17 **EFFECTIVE DATE.** This section is effective the day following final enactment.

5.18 Sec. 6. Minnesota Statutes 2010, section 122A.60, subdivision 3, is amended to read:

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

5.24 (1) improve student achievement of state and local education standards in all areas
 5.25 of the curriculum by using best practices methods;

5.26 (2) effectively meet the needs of a diverse student population, including at-risk
 5.27 children, children with disabilities, and gifted children, within the regular classroom
 5.28 and other settings;

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

5.32 (4) improve staff collaboration ~~and~~² develop mentoring and peer coaching programs
 5.33 for teachers new to the school or district, and use teacher induction programs to provide
 5.34 entry-level teachers with teaching and program management resources and opportunities

6.1 to analyze and reflect upon teaching in order to improve both teacher effectiveness and
6.2 retention;

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

6.6 (6) provide teachers and other members of site-based management teams with
6.7 appropriate management and financial management skills.

6.8 **EFFECTIVE DATE.** This section is effective the day following final enactment.

6.9 Sec. 7. Minnesota Statutes 2011 Supplement, section 123B.147, subdivision 3, is
6.10 amended to read:

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

6.16 (b) To enhance a principal's leadership skills and support and improve teaching
6.17 practices, school performance, and student achievement, a district must develop and
6.18 implement a performance-based system for annually evaluating school principals assigned
6.19 to supervise a school building within the district. The evaluation must be designed
6.20 to improve teaching and learning by supporting the principal in shaping the school's
6.21 professional environment and developing teacher quality, performance, and effectiveness.
6.22 The annual evaluation must:

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

6.26 (2) include formative and summative evaluations;

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

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

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

7.1 (6) use longitudinal data on student academic growth as an evaluation component
7.2 and incorporate district achievement goals and targets;

7.3 (7) be linked to professional development that emphasizes improved teaching and
7.4 learning, curriculum and instruction, student learning, and a collaborative professional
7.5 culture; and

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

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

7.12 (c) For principals and assistant principals to be eligible to receive alternative
7.13 compensation revenue under section 122A.4152, the supplemental educational
7.14 improvement plan approved by the commissioner must be consistent with this subdivision.

7.15 **EFFECTIVE DATE.** This section is effective September 1, 2012.