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State of Minnesota

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HOUSE OF REPRESENTATIVES

EIGHTY-SEVENTH SESSION

H. F. No. 2580

- 02/29/2012 Authored by Loon, Garofalo, Erickson, Myhra and Scott  
The bill was read for the first time and referred to the Committee on Education Reform
- 03/12/2012 Adoption of Report: Pass as Amended and re-referred to the Committee on Education Finance
- 03/19/2012 Adoption of Report: Pass as Amended and re-referred to the Committee on Ways and Means
- 03/29/2012 Adoption of Report: Pass and Read Second Time
- 04/18/2012 Fiscal Calendar, Amended  
Read Third Time as Amended  
Passed by the House as Amended and transmitted to the Senate to include Floor Amendments

1.1 A bill for an act  
 1.2 relating to education; empowering parents to request a school district intervene  
 1.3 in a "Priority" school; proposing coding for new law in Minnesota Statutes,  
 1.4 chapter 120B.

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

1.6 Section 1. **[120B.361] EMPOWERING PARENTS TO REQUEST SCHOOL**  
 1.7 **INTERVENTIONS.**

1.8 (a) This section applies to those public schools including charter schools identified  
 1.9 by the department as one of the state's "Priority" schools, for a minimum of three  
 1.10 consecutive school years, based on the multiple measures established in Minnesota's  
 1.11 federally approved 2012 No Child Left Behind Act waiver.

1.12 (b) Notwithstanding any other law to the contrary, if parents representing at least  
 1.13 51 percent of students attending one of the state's "Priority" schools under paragraph  
 1.14 (a), or parents who combined represent at least 51 percent of students attending that  
 1.15 school and students attending the elementary or middle schools that normally matriculate  
 1.16 into that school, sign a petition requesting that the school board of the school district in  
 1.17 which the school is located or the charter school board of directors implements one of  
 1.18 four intervention models or other alternative governance arrangement in this paragraph,  
 1.19 then the school board must implement the parent-requested intervention model or other  
 1.20 governance arrangement consistent with this section to allow an intervention strategy to  
 1.21 improve students' educational outcomes and school performance. The four intervention  
 1.22 models include:

1.23 (1) a turnaround model requiring the district in which the school is located or the  
 1.24 charter school board of directors to replace the school principal, allow the newly placed

2.1 principal to determine who is hired into licensed positions notwithstanding other law to  
 2.2 the contrary, adopt a new school governance structure, and implement a new or revised  
 2.3 instructional program;

2.4 (2) a restart model requiring the district in which the school is located or the charter  
 2.5 school board of directors to close the school and restart or reopen it under the management  
 2.6 of a charter school operator, a charter management organization, or an educational  
 2.7 management organization that manages a currently operating charter school that met  
 2.8 or exceeded state proficiency and growth standards on state reading and mathematics  
 2.9 assessments in at least the preceding three school years;

2.10 (3) a school closure model requiring the district in which the school is located to  
 2.11 close the school and transfer the students enrolled in the school to another higher-achieving  
 2.12 school in the district performing above the 25 percent of lowest performing schools as  
 2.13 measured by the multiple measures established in Minnesota's federally approved 2012  
 2.14 No Child Left Behind Act waiver; and

2.15 (4) a transformational model requiring the district in which the school is located to  
 2.16 transform the school by (i) developing and improving teacher and principal effectiveness  
 2.17 and replacing the principal who led the school before implementing this model, (ii)  
 2.18 implementing comprehensive instructional reform strategies, (iii) extending learning  
 2.19 and teacher planning time and creating community-oriented schools, and (iv) providing  
 2.20 operating flexibility and sustained support.

2.21 If on the date a school board receives a petition, the school that is the subject of the  
 2.22 petition is identified as one of the state's "Priority" schools, then that school is subject to  
 2.23 this section. This section does not apply to a public school already subject to closure.

2.24 (c) The petition shall read as follows:

2.25 **Petition to request that Independent School District No. \_\_\_\_\_, \_\_\_\_\_ intervene in**  
 2.26 **the \_\_\_\_\_ school, designated a "Priority" school by the Minnesota Department of**  
 2.27 **Education, by implementing the following intervention at the school: \_\_\_\_\_ .**

2.28 SIGNER'S OATH

2.29 "I swear (or affirm) that I know the contents and purpose of this petition and that I  
 2.30 signed the petition only once on behalf of my child who attends the school that is  
 2.31 the subject of this petition or attends a school that normally matriculates into the  
 2.32 school that is the subject of this petition and of my own free will."

2.33 ALL INFORMATION ON THIS PETITION IS SUBJECT TO PUBLIC INSPECTION.

2.34 ALL INFORMATION MUST BE FILLED IN BY PERSON(S) SIGNING THIS  
 2.35 PETITION UNLESS DISABILITY PREVENTS THE PERSON(S) FROM DOING SO.

3.1		<u>RESIDENCE</u>			
3.2		<u>ADDRESS</u>			
3.3		<u>(number and</u>			
3.4		<u>street or</u>			
3.5	<u>PRINT FIRST,</u>	<u>route and box</u>			
3.6	<u>MIDDLE,</u>	<u>number) (Not</u>	<u>SCHOOL</u>		
3.7	<u>AND LAST</u>	<u>a P.O. Box)</u>	<u>DISTRICT</u>	<u>SCHOOL</u>	
	<u>NAME</u>				
3.8	<u>DATE</u>	<u>SIGNATURE</u>			
3.8	<u>1.</u>				
3.9	<u>2.</u>				
3.10	<u>3.</u>				
3.11	<u>4.</u>				
3.12	<u>5.</u>				
3.13	<u>6.</u>				
3.14	<u>7.</u>				
3.15	<u>8.</u>				
3.16	<u>9.</u>				
3.17	<u>10.</u>				

3.18           Each eligible student must be represented by only one parent on the petition. A  
 3.19 "parent," for the purposes of this section, is a natural or adoptive parent, legal guardian,  
 3.20 or other person holding the right to make educational decisions on behalf of the student,  
 3.21 including a foster parent who holds rights to make educational decisions on behalf of that  
 3.22 student on the date the petition is submitted. Signature gatherers must not offer incentives  
 3.23 or make threats to parents to sign a petition. No person shall be harassed, threatened, or  
 3.24 intimidated for circulating or signing a petition. Signature gatherers must disclose if  
 3.25 they are being paid to gather signatures. All persons involved in signature gathering  
 3.26 are subject to local administrative policies governing access to school facilities. School  
 3.27 officials must not use school resources to support or oppose the gathering of signatures by  
 3.28 parents or others. Petitioners may submit a petition that complies with this section to the  
 3.29 affected school board and must designate up to five individuals who sign the petition as  
 3.30 "lead petitioners" to help facilitate communication between the school board and parents  
 3.31 who sign the petition. Upon receiving a petition, a school board may use simple random  
 3.32 sampling to verify that the signatures on the petition can be counted under this section  
 3.33 and must review and verify the signatures as legitimate within 45 days. The school board  
 3.34 may contact parents only to verify their signatures on the petition. If the school board  
 3.35 finds errors with petition signatures, it must immediately notify the lead petitioners and  
 3.36 allow them to resubmit the petition within 30 calendar days of notice if no substantive  
 3.37 changes are made to the petition. The school board shall then have 15 calendar days to  
 3.38 determine whether the errors were corrected and verify the signatures. A resubmitted  
 3.39 petition with substantive changes is deemed a new petition and must be recirculated. The  
 3.40 commissioner must post a sample petition on the department's Web site and each school

4.1 district in which one of the state's "Priority" schools under paragraph (a) is located and  
4.2 each charter school identified as one of the state's "Priority" schools under paragraph (a)  
4.3 must post a sample petition on its Web site.

4.4 (d) A school board that receives a petition or a corrected resubmitted petition must  
4.5 provide public notice and hold a public meeting to hear public comment on the substance  
4.6 of the petition within 30 calendar days of finally verifying the signatures. Within 45  
4.7 calendar days after hearing public comments, the board must identify the parent-requested  
4.8 intervention or other governance arrangement it will implement. The board must  
4.9 implement the intervention or other governance arrangement in the proximate school year  
4.10 unless the board finally verifies petition signatures after February 1 and then the board  
4.11 must implement the intervention or other governance arrangement no later than the school  
4.12 year following the proximate school year.

4.13 (e) If eligible parents petition to reopen or restart a school as a charter school, the  
4.14 school board must implement this option by converting the school to a charter school at  
4.15 the beginning of the proximate academic year, consistent with section 124D.10. The  
4.16 reopened or restarted school must admit any former student seeking enrollment, consistent  
4.17 with the grades served by the reopened or restarted school.

4.18 (f) A school board that receives a petition must notify the commissioner in writing  
4.19 of its receipt of the petition and the final disposition of that petition.

4.20 (g) A school board is not required to implement the intervention or other governance  
4.21 arrangement requested by parents in a petition if the request is inconsistent with this  
4.22 section.

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