

This Document can be made available
in alternative formats upon request

State of Minnesota
HOUSE OF REPRESENTATIVES

EIGHTY-SEVENTH SESSION

H. F. No. 803

03/03/2011 Authored by Woodard; Benson, J.; Barrett and Petersen, B.,
The bill was read for the first time and referred to the Committee on Education Reform

1.1 A bill for an act
1.2 relating to education; creating the MNovate commission; proposing coding for
1.3 new law in Minnesota Statutes, chapter 127A.

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

1.5 Section 1. [127A.90] MNOVATE COMMISSION.

1.6 Subdivision 1. **Creation.** A commission called MNovate is established to assist the
1.7 governor, the legislature, the commissioner of education, and learning communities of
1.8 Minnesota. The mission of the commission is to provide leadership for the creation of
1.9 new and innovative models of public schools and schooling resulting in:

1.10 (1) models of learning designed around individual needs and aspirations;
1.11 (2) evaluations of new ways of learning;
1.12 (3) new professional opportunities for teachers; and
1.13 (4) improved efficiency of the public early childhood through grade 12 education
1.14 system.

1.15 Subd. 2. **Membership.** (a) For the initial appointments, the terms of the board
1.16 members of the commission shall be one year for one third of the members, two years for
1.17 one third of the members, and three years for one third of the members. Thereafter, the
1.18 members shall serve three-year terms. Members may be reappointed upon the completion
1.19 of their current term for one additional term. The compensation, filling of vacancies, and
1.20 removal of members are governed by section 15.0575. The commission may accept gifts
1.21 and contributions from public and private organizations.

1.22 (b) The commission shall consist of 12 voting members. The commissioner of
1.23 education shall be an ongoing voting member and shall serve as chair for the first year,
1.24 after which time the chair will be selected by the members.

(c) The governor, speaker of the house of representatives, and majority leader of the senate shall each appoint four voting members. At the initial meeting of the commission, the length of the terms would be allocated by a lottery method. The commissioner of education shall be one of the governor's appointees and shall serve a three-year term. One commission member may be a state representative and one may be a state senator.

(d) The commission should periodically request testimony and advice from educators, students, families, education organizations, higher education, the business community, and other parties to gain their input with respect to learning models. Also, persons with expertise in new models of teaching and learning, finance, technology evaluation models, and other areas to be determined by the commission shall also be requested to provide testimony and advice.

(e) Commission appointees should have expertise or experience that demonstrates support for the risks and rewards of innovative efforts. The commission, to the extent practicable, should reflect geographic and ethnic representation.

(f) Following the initial appointments as provided for in this subdivision, the commission board will appoint its own members who shall serve only if confirmed by the senate. Commission members, with the exception of the commissioner of education, may serve a maximum of two consecutive terms.

Subd. 3. **Duties.** The commission shall:

(1) provide outreach to educators, community groups, and others to help stimulate interest and develop proposals for new and fundamentally different schools;

(2) conduct research and identify high-priority unmet student learning needs in all parts of the state, as well as districts facing severe fiscal stress where new learning models or organizational models could help make districts and schools more fiscally sustainable. Unmet needs to be researched and interim recommendations to be made by December 31, 2012, include:

(i) improving student readiness for kindergarten and academic proficiency by the end of third grade;

(ii) high school models resulting in students completing one or more years of postsecondary credit;

(iii) administrative models for serving students in sparsely populated areas;

(iv) administrative, learning, or organizational models for districts facing severe fiscal stress;

(v) models that use technology, including low or no-cost technology, as a significant way to improve learning and efficiency; and

3.1 (vi) models that focus on student engagement in their learning with an enhanced
3.2 level of connection between the teachers and students, including project-based models;

3.3 (3) identify laws and rules that restrict the development of learning models and
3.4 constrain innovation;

3.5 (4) disseminate information about new school creation to audiences throughout
3.6 the state;

3.7 (5) create opportunities for current district schools, site-governed district schools,
3.8 charter schools, contract alternative schools, and others to learn of new models, exchange
3.9 ideas, improve efficiency, improve accountability, and enhance innovation in public
3.10 education;

3.11 (6) research and develop new models of evaluation to support learning, efficiency,
3.12 and accountability;

3.13 (7) facilitate and coordinate quality assistance as well as nongovernmental support
3.14 that is available to assist districts and other new school developers to create proposals
3.15 for high-quality new models of schools and schooling and to effectively implement
3.16 these new models;

3.17 (8) as provided in section 124D.10, develop the application process and conduct
3.18 the reviews of applications of organizations requesting approval to be sponsors of charter
3.19 schools and make recommendations to the commissioner of education regarding approval,
3.20 renewal, and removal of sponsoring authority;

3.21 (9) administer the federal charter school start-up grant funding awarded to the state;

3.22 (10) disseminate information to the public regarding ways for students to access
3.23 learning such as through the postsecondary enrollment options law provided for in
3.24 section 124D.09, by utilizing online learning, through options for learning in Minnesota
3.25 communities, as well as through other pathways; and

3.26 (11) actively seek out funding from private sources, federal grants, and other sources
3.27 to fund the work of the commission. The commissioner shall enter into an agreement with
3.28 the commission to provide the federal charter school funding to enable the commission to
3.29 meet the requirements of clauses (8) and (9).

3.30 Subd. 4. **Report.** The commission shall report to the governor, the policy and
3.31 finance committees of the legislature with primary jurisdiction over prekindergarten
3.32 and kindergarten through grade 12 education, and the commissioner of education
3.33 annually regarding the results of its work and make recommendations regarding ongoing
3.34 development of new models of schools.

3.35 Subd. 5. **Delegation to nonprofit.** The commission shall create a private nonprofit
3.36 corporation and apply for tax exempt status under section 501(c)(3) of the federal Internal

4.1 Revenue Code of 1986. The members appointed in subdivision 2 shall serve as the
4.2 corporation's board of directors. The private nonprofit corporation is not subject to laws
4.3 governing state agencies or political subdivisions, except that the provisions of chapter
4.4 13, the Open Meeting Law under chapter 13D, salary limits under section 15A.0815,
4.5 subdivision 2, and audits by the legislative auditor under chapter 3 apply. The board of
4.6 directors and the executive director of the nonprofit corporation are each considered an
4.7 official for purposes of section 10A.071. The commission may delegate any or all of its
4.8 powers and duties under state and federal law to the private nonprofit corporation. The
4.9 commission may revoke a delegation of powers and duties at any time.