

1 Senator moves to amend S.F. No. 1148 as follows:

2 Delete everything after the enacting clause and insert:

3 "ARTICLE 1

4 EDUCATION EXCELLENCE

5 Section 1. Minnesota Statutes 2004, section 13.321, is
6 amended by adding a subdivision to read:

7 Subd. 10. [TEACHER DATA FROM VALUE-ADDED ASSESSMENT
8 MODEL.] Data on individual teachers generated from a value-added
9 assessment model are governed under section 120B.362.

10 [EFFECTIVE DATE.] This section is effective the day
11 following final enactment.

12 Sec. 2. [120A.38] [CLASSROOM PLACEMENT; PARENT
13 DISCRETION.]

14 (a) A parent or guardian of twins or higher order multiples
15 may request that the children be placed in the same classroom or
16 in separate classrooms if the children are in the same grade
17 level at the same school. The school may recommend classroom
18 placement to the parents and provide professional education
19 advice to the parents to assist them in making the best decision
20 for their children's education. A school must provide the
21 placement requested by the children's parent or guardian, unless
22 the school board makes a classroom placement determination
23 following the school principal's request according to this
24 section. The parent or guardian must request the classroom
25 placement no later than 14 days after the first day of each
26 school year or 14 days after the first day of attendance of the
27 children during a school year if the children are enrolled in
28 the school after the school year commences. At the end of the
29 initial grading period, if the school principal, in consultation
30 with the children's classroom teacher, determines that the
31 requested classroom placement is disruptive to the school, the
32 school principal may request that the school board determine the
33 children's classroom placement.

34 (b) For purposes of this section, "higher order multiples"
35 means triplets, quadruplets, quintuplets, or more.

36 [EFFECTIVE DATE.] This section is effective for the

1 2005-2006 school year and later.

2 Sec. 3. Minnesota Statutes 2004, section 120B.02, is
3 amended to read:

4 120B.02 [EDUCATIONAL EXPECTATIONS FOR MINNESOTA'S
5 STUDENTS.]

6 (a) The legislature is committed to establishing rigorous
7 academic standards for Minnesota's public school students. To
8 that end, the commissioner shall adopt in rule statewide
9 academic standards. The commissioner shall not prescribe in
10 rule or otherwise the delivery system, classroom assessments, or
11 form of instruction that school sites must use. For purposes of
12 this chapter, a school site is a separate facility, or a
13 separate program within a facility that a local school board
14 recognizes as a school site for funding purposes.

15 (b) All commissioner actions regarding the rule must be
16 premised on the following:

17 (1) the rule is intended to raise academic expectations for
18 students, teachers, and schools;

19 (2) any state action regarding the rule must evidence
20 consideration of school district autonomy; and

21 (3) the Department of Education, with the assistance of
22 school districts, must make available information about all
23 state initiatives related to the rule to students and parents,
24 teachers, and the general public in a timely format that is
25 appropriate, comprehensive, and readily understandable.

26 (c) When fully implemented, the requirements for high
27 school graduation in Minnesota must require students to ~~pass-the~~
28 ~~basic-skills-test-requirements-and~~ satisfactorily complete, as
29 determined by the school district, the course credit
30 requirements under section 120B.024 and:

31 (1) for students enrolled in grade 8 before the 2005-2006
32 school year, to pass the basic skills test requirements; or

33 (2) for students enrolled in grade 8 in the 2005-2006
34 school year and later, to pass the Minnesota Comprehensive
35 Assessments Second Edition (MCA-IIIs).

36 (d) The commissioner shall periodically review and report

1 on the state's assessment process.

2 (e) School districts are not required to adopt specific
3 provisions of ~~the Goals-2000~~ and the federal School-to-Work
4 programs.

5 Sec. 4. Minnesota Statutes 2004, section 120B.021,
6 subdivision 1, is amended to read:

7 Subdivision 1. [REQUIRED ACADEMIC STANDARDS.] The
8 following subject areas are required for statewide
9 accountability:

10 (1) language arts;

11 (2) mathematics;

12 (3) science;

13 (4) social studies, including history, geography,
14 economics, and government and citizenship;

15 (5) health and physical education, for which locally
16 developed academic standards apply; and

17 (6) the arts, for which statewide or locally developed
18 academic standards apply, as determined by the school district.

19 Public elementary and middle schools must offer at least three
20 and require at least two of the following four arts areas:

21 dance; music; theater; and visual arts. Public high schools

22 must offer at least three and require at least one of the

23 following five arts areas: media arts; dance; music; theater;
24 and visual arts.

25 The commissioner must submit proposed standards in science
26 and social studies to the legislature by February 1, 2004.

27 For purposes of applicable federal law, the academic standards
28 for language arts, mathematics, and science apply to all public
29 school students, except the very few students with extreme
30 cognitive or physical impairments for whom an individualized
31 education plan team has determined that the required academic
32 standards are inappropriate. An individualized education plan
33 team that makes this determination must establish alternative
34 standards.

35 A school district, no later than the 2007-2008 school year,
36 must adopt graduation requirements that meet or exceed state

1 graduation requirements established in law or rule. A school
2 district that incorporates these state graduation requirements
3 before the 2007-2008 school year must provide students who enter
4 the 9th grade in or before the 2003-2004 school year the
5 opportunity to earn a diploma based on existing locally
6 established graduation requirements in effect when the students
7 entered the 9th grade. District efforts to develop, implement,
8 or improve instruction or curriculum as a result of the
9 provisions of this section must be consistent with sections
10 120B.10, 120B.11, and 120B.20.

11 At a minimum, school districts must maintain the same
12 physical education and health education requirements for
13 kindergarten through 8th grade students adopted for the
14 2004-2005 school year through the 2007-2008 school year. Before
15 a revision of the local health and physical education standards,
16 a school district must consult the grade-specific benchmarks
17 developed by the Department of Education's health and physical
18 education quality teaching network for the six national physical
19 education standards and the seven national health standards.

20 Sec. 5. Minnesota Statutes 2004, section 120B.021, is
21 amended by adding a subdivision to read:

22 Subd. 1a. [RIGOROUS COURSE OF STUDY; WAIVER.] (a) Upon
23 receiving a student's application signed by the student's parent
24 or guardian, a school district, area learning center, or charter
25 school must declare that a student meets or exceeds a specific
26 academic standard required for graduation under this section if
27 the local school board, the school board of the school district
28 in which the area learning center is located, or the charter
29 school board of directors determines that the student:

30 (1) is participating in a course of study including an
31 advanced placement or international baccalaureate course or
32 program, a learning opportunity outside the curriculum of the
33 district, area learning center or charter school, or an approved
34 preparatory program for employment or postsecondary education
35 that is equally or more rigorous than the corresponding state or
36 local academic standard required by the district, area learning

1 center or charter school;

2 (2) would be precluded from participating in the rigorous
3 course of study, learning opportunity, or preparatory employment
4 or postsecondary education program if the student were required
5 to achieve the academic standard to be waived; and

6 (3) satisfactorily completes the requirements for the
7 rigorous course of study, learning opportunity or preparatory
8 employment or postsecondary education program.

9 Consistent with the requirements of this section, the local
10 school board, the school board of the school district in which
11 the area learning center is located, or the charter school board
12 of directors also may formally determine other circumstances in
13 which to declare that a student meets or exceeds a specific
14 academic standard that the site requires for graduation under
15 this section.

16 (b) A student who satisfactorily completes a postsecondary
17 enrollment options course or program under section 124D.09 is
18 not required to complete other requirements of the academic
19 standards corresponding to that specific rigorous course of
20 study.

21 Sec. 6. Minnesota Statutes 2004, section 120B.024, is
22 amended to read:

23 120B.024 [GRADUATION REQUIREMENTS; COURSE CREDITS.]

24 Students beginning 9th grade in the 2004-2005 school year
25 and later must successfully complete the following high school
26 level course credits for graduation:

27 (1) four credits of language arts;

28 (2) three credits of mathematics, encompassing at least

29 ~~algebra, geometry, statistics, and probability sufficient to~~

30 ~~satisfy the academic standard;~~ the mathematical reasoning,

31 algebra, geometry, statistics, and probability identified in the

32 mathematics grades 9, 10, and 11 standards document;

33 (3) three credits of science, including at least one credit
34 in biology;

35 (4) three and one-half credits of social studies,

36 encompassing at least United States history, geography,

1 government and citizenship, world history, and economics or
2 three credits of social studies encompassing at least United
3 States history, geography, government and citizenship, and world
4 history, and one-half credit of economics taught in a school's
5 social studies or business department;

6 (5) one credit in the arts; and

7 (6) one-half credit in physical education and one-half
8 credit in health education; and

9 (7) a minimum of ~~seven~~ six elective course credits.

10 A course credit is equivalent to a student successfully
11 completing an academic year of study or a student mastering the
12 applicable subject matter, as determined by the local school
13 district.

14 Sec. 7. Minnesota Statutes 2004, section 120B.11,
15 subdivision 1, is amended to read:

16 Subdivision 1. [DEFINITIONS.] For the purposes of this
17 section and section 120B.10, the following terms have the
18 meanings given them.

19 (a) "Instruction" means methods of providing learning
20 experiences that ~~enables~~ enable a student to meet state and
21 district academic standards and graduation
22 standards requirements.

23 (b) "Curriculum" means district or school adopted programs
24 and written plans for providing students with learning
25 experiences that lead to expected knowledge, and skills, ~~and~~
26 positive-attitudes.

27 Sec. 8. Minnesota Statutes 2004, section 120B.11,
28 subdivision 2, is amended to read:

29 Subd. 2. [ADOPTING POLICIES.] (a) A school board shall
30 ~~adopt-annually-a~~ have in place an adopted written policy that
31 includes the following:

32 (1) district goals for instruction ~~and~~ including the use of
33 best practices, district and school curriculum, and achievement
34 for all student subgroups;

35 (2) a process for evaluating each student's progress toward
36 meeting ~~graduation~~ academic standards and identifying the

1 strengths and weaknesses of instruction and curriculum affecting
2 students' progress;

3 (3) a system for periodically reviewing and evaluating all
4 instruction and curriculum;

5 (4) a plan for improving instruction and, curriculum, and
6 student achievement; and

7 (5) an ~~instruction-plan-that-includes~~ education
8 effectiveness ~~processes-developed-under~~ plan aligned with
9 section 122A.625 and that integrates instruction, curriculum,
10 and technology.

11 Sec. 9. Minnesota Statutes 2004, section 120B.11,
12 subdivision 3, is amended to read:

13 Subd. 3. [~~INSTRUCTION-AND-CURRICULUM~~ DISTRICT ADVISORY
14 COMMITTEE.] Each school board shall establish an ~~Instruction-and~~
15 ~~Curriculum~~ advisory committee to ensure active community
16 participation in all phases of planning and improving the
17 instruction and curriculum affecting state ~~graduation~~ and
18 district academic standards. A district advisory committee, to
19 the extent possible, shall reflect the diversity of the district
20 and its learning sites, and shall include teachers, parents,
21 support staff, ~~pupils~~ students, and other community residents.
22 The district may establish building teams as subcommittees of
23 the district advisory committee under subdivision 4. The
24 district advisory committee shall recommend to the school
25 board ~~districtwide-education-standards~~ rigorous academic
26 standards, student achievement goals and measures, assessments,
27 and program evaluations. Learning sites may expand upon
28 district evaluations of instruction, curriculum, assessments, or
29 programs. Whenever possible, parents and other community
30 residents shall comprise at least two-thirds of advisory
31 committee members.

32 Sec. 10. Minnesota Statutes 2004, section 120B.11,
33 subdivision 4, is amended to read:

34 Subd. 4. [BUILDING TEAM.] A school may establish a
35 building team to develop and implement an education
36 effectiveness plan to improve instruction and, curriculum, and

1 student achievement. The team shall advise the board and the
2 advisory committee about developing an instruction and
3 curriculum improvement plan that aligns curriculum, assessment
4 of student progress in meeting state graduation and district
5 academic standards, and instruction.

6 Sec. 11. Minnesota Statutes 2004, section 120B.11,
7 subdivision 5, is amended to read:

8 Subd. 5. [REPORT.] (a) By October 1 of each year, the
9 school board shall use standard statewide reporting procedures
10 the commissioner develops and adopt a report that includes the
11 following:

12 (1) student ~~performanee~~ achievement goals for meeting state
13 graduation academic standards adopted-for-that-year;

14 (2) results of local assessment data, and any additional
15 test data;

16 (3) the annual school district improvement plans including
17 staff development goals under section 122A.60;

18 (4) information about district and learning site progress
19 in realizing previously adopted improvement plans; and

20 (5) the amount and type of revenue attributed to each
21 education site as defined in section 123B.04.

22 (b) The school board shall publish the report in the local
23 newspaper with the largest circulation in the district ~~or~~, by
24 mail, or by electronic means such as the district Web site. If
25 electronic means are used, copies of the report must be made
26 available to the public on request. The board shall make a copy
27 of the report available to the public for inspection. The board
28 shall send a copy of the report to the commissioner of education
29 by October 15 of each year.

30 (c) The title of the report shall contain the name and
31 number of the school district and read "Annual Report on
32 Curriculum, Instruction, and Student Performanee Achievement."
33 The report must include at least the following information about
34 advisory committee membership:

35 (1) the name of each committee member and the date when
36 that member's term expires;

1 (2) the method and criteria the school board uses to select
2 committee members; and

3 (3) the date by which a community resident must apply to
4 next serve on the committee.

5 Sec. 12. Minnesota Statutes 2004, section 120B.11,
6 subdivision 8, is amended to read:

7 Subd. 8. [BIENNIAL EVALUATION; ASSESSMENT PROGRAM.] At
8 least once every two years, the district report shall include an
9 evaluation of the district testing programs, according to the
10 following:

11 (1) written objectives of the assessment program;

12 (2) names of tests and grade levels tested;

13 (3) use of test results; and

14 (4) ~~implementation-of-an-assurance-of-mastery-program~~
15 student achievement results compared to previous years.

16 Sec. 13. Minnesota Statutes 2004, section 120B.13,
17 subdivision 1, is amended to read:

18 Subdivision 1. [PROGRAM STRUCTURE; TRAINING PROGRAMS FOR
19 TEACHERS.] (a) The advanced placement and international
20 baccalaureate programs are well-established academic programs
21 for mature, academically directed high school students. These
22 programs, in addition to providing academic rigor, offer sound
23 curricular design, accountability, comprehensive external
24 assessment, feedback to students and teachers, and the
25 opportunity for high school students to compete academically on
26 a global level. Advanced placement and international
27 baccalaureate programs allow students to leave high school with
28 the academic skills and self-confidence to succeed in college
29 and beyond. The advanced placement and international
30 baccalaureate programs help provide Minnesota students with
31 world-class educational opportunity.

32 (b) Critical to schools' educational success is ongoing
33 advanced placement/international baccalaureate-approved teacher
34 training. A secondary teacher assigned by a ~~district~~ public or
35 nonpublic school to teach an advanced placement or international
36 baccalaureate course or other interested educator may

1 participate in a training program offered by The College Board
2 or International Baccalaureate North America, Inc. The state
3 may pay a portion of the tuition, room, and board, and
4 out-of-state travel costs a teacher or other interested educator
5 assigned by a public school incurs in participating in a
6 training program. The commissioner shall determine application
7 procedures and deadlines, and select teachers and other
8 interested educators to participate in the training program, and
9 determine the payment process and amount of the subsidy. The
10 procedures determined by the commissioner shall, to the extent
11 possible, ensure that advanced placement and international
12 baccalaureate courses become available in all parts of the state
13 and that a variety of course offerings are available in school
14 districts. This subdivision does not prevent teacher or other
15 interested educator participation in training programs offered
16 by The College Board or International Baccalaureate North
17 America, Inc., when tuition is paid by a source other than the
18 state.

19 Sec. 14. Minnesota Statutes 2004, section 120B.13,
20 subdivision 3, is amended to read:

21 Subd. 3. [SUBSIDY FOR EXAMINATION FEES.] The state may pay
22 all or part of the fee for advanced placement or international
23 baccalaureate examinations ~~for pupils of low-income families in~~
24 ~~public and nonpublic schools.~~ The commissioner shall ~~adopt a~~
25 ~~schedule for fee subsidies that may allow payment of the entire~~
26 fee for pay all examination fees for all public and nonpublic
27 students of low-income families, as defined by the commissioner,
28 and to the limit of the available appropriation, shall also pay
29 a portion or all of the examination fees for other public and
30 nonpublic students sitting for an advanced placement
31 examination, international baccalaureate examination, or both.
32 The commissioner shall determine procedures for state payments
33 of fees.

34 Sec. 15. [120B.15] [GIFTED AND TALENTED STUDENTS
35 PROGRAMS.]

36 Subdivision 1. [GIFTED AND TALENTED STUDENTS.] School

1 districts must adopt guidelines for assessing and identifying
2 students for participation in gifted and talented programs. The
3 guidelines should include the use of:

4 (1) multiple and objective criteria; and

5 (2) using assessments and procedures that are valid and
6 reliable, fair, and based on current theory and research.

7 Subd. 2. [STUDENT ACCESS; PROGRAM CONTENT AND
8 DEVELOPMENT.]

9 (a) Gifted and talented programs may include:

10 (1) curriculum aligned with the cognitive, affective,
11 developmental, and physical needs of gifted and talented
12 students;

13 (2) articulated prekindergarten through grade 12 learning
14 experiences;

15 (3) flexible instructional pacing and subject and
16 grade-based opportunities to accelerate instruction;

17 (4) rigorous content consistent with students' abilities
18 and social and emotional development;

19 (5) challenging learning experiences focused on problem
20 solving and advanced reasoning; and

21 (6) differentiated guidance services to nurture students'
22 social and emotional development.

23 (b) School districts, in collaboration with interested
24 community members and with technical assistance from the state
25 education department, must offer gifted and talented programs.

26 [EFFECTIVE DATE.] This section is effective for the
27 2005-2006 school year and later.

28 Sec. 16. [120B.25] [AMERICAN HERITAGE EDUCATION.]

29 (a) School districts shall permit grade-level instruction
30 for students to read and study America's founding documents,
31 including documents that contributed to the foundation or

32 maintenance of America's representative form of limited
33 government, the Bill of Rights, our free-market economic system,
34 and patriotism.

35 Sec. 17. Minnesota Statutes 2004, section 120B.30,
36 subdivision 1, is amended to read:

1 Subdivision 1. [STATEWIDE TESTING.] (a) The commissioner,
2 with advice from experts with appropriate technical
3 qualifications and experience and stakeholders, consistent with
4 subdivision 1a, shall include in the comprehensive assessment
5 system, for each grade level to be tested, state-constructed
6 tests developed from and aligned with the state's required
7 academic standards under section 120B.021 and administered
8 annually to all students in grades 3 through 8 and at the high
9 school level. A state-developed test in a subject other than
10 writing, developed after the 2002-2003 school year, must include
11 both ~~multiple-choice~~ machine-scoreable and constructed response
12 questions. The commissioner shall establish one or more months
13 during which schools shall administer the tests to students each
14 school year. For students enrolled in grade 8 before the
15 2005-2006 school year, only Minnesota basic skills tests in
16 reading, mathematics, and writing shall fulfill students' basic
17 skills testing requirements for a passing state notation. The
18 passing scores of the state tests in reading and mathematics are
19 the equivalent of:

20 (1) 70 percent correct for students entering grade 9 in
21 1996; and

22 (2) 75 percent correct for students entering grade 9 in
23 1997 and thereafter, as based on the first uniform test
24 administration of February 1998.

25 For students enrolled in grade 8 in the 2005-2006 school
26 year and later, only the Minnesota Comprehensive Assessments
27 Second Edition (MCA-IIs) in reading, mathematics, and writing
28 shall fulfill students' academic standard requirements.

29 (b) The third through 8th grade and high school level test
30 results shall be available to districts for diagnostic purposes
31 affecting student learning and district instruction and
32 curriculum, and for establishing educational accountability.
33 The commissioner must disseminate to the public the test results
34 upon receiving those results.

35 (c) State tests must be constructed and aligned with state
36 academic standards. The testing process and the order of

1 administration shall be determined by the commissioner. The
2 statewide results shall be aggregated at the site and district
3 level, consistent with subdivision 1a.

4 (d) In addition to the testing and reporting requirements
5 under this section, the commissioner shall include the following
6 components in the statewide public reporting system:

7 (1) uniform statewide testing of all students in grades 3
8 through 8 and at the high school level that provides exemptions,
9 only with parent or guardian approval, for those very few
10 students for whom the student's individual education plan team
11 under sections 125A.05 and 125A.06, determines that the student
12 is incapable of taking a statewide test, or for a limited
13 English proficiency student under section 124D.59, subdivision
14 2, if the student has been in the United States for fewer than
15 three years;

16 (2) educational indicators that can be aggregated and
17 compared across school districts and across time on a statewide
18 basis, including average daily attendance, high school
19 graduation rates, and high school drop-out rates by age and
20 grade level;

21 (3) students' scores on the American College Test; and

22 (4) state results from participation in the National
23 Assessment of Educational Progress so that the state can
24 benchmark its performance against the nation and other states,
25 and, where possible, against other countries, and contribute to
26 the national effort to monitor achievement.

27 (e) Districts must report exemptions under paragraph (d),
28 clause (1), to the commissioner consistent with a format
29 provided by the commissioner.

30 Sec. 18. Minnesota Statutes 2004, section 120B.30,
31 subdivision 1a, is amended to read:

32 Subd. 1a. [STATEWIDE AND LOCAL ASSESSMENTS; RESULTS.] (a)
33 The commissioner must develop ~~language-arts~~ reading,
34 mathematics, and science assessments aligned with state academic
35 standards that districts and sites must use to monitor student
36 growth toward achieving those standards. The commissioner must

1 not develop statewide assessments for academic standards in
2 social studies and the arts. The commissioner must require:

3 (1) annual ~~language-arts~~ reading and mathematics
4 assessments in grades 3 through 8 and at the high school level
5 for the 2005-2006 school year and later; and

6 (2) annual science assessments in one grade in the grades 3
7 through 5 span, the grades 6 through 9 span, and a life sciences
8 assessment in the grades 10 through 12 span for the 2007-2008
9 school year and later.

10 (b) The commissioner must ensure that all statewide tests
11 administered to elementary and secondary students measure
12 students' academic knowledge and skills and not students'
13 values, attitudes, and beliefs.

14 (c) Reporting of assessment results must:

15 (1) provide timely, useful, and understandable information
16 on the performance of individual students, schools, school
17 districts, and the state;

18 (2) include, by the 2006-2007 school year, a value-added
19 component to measure student achievement growth over time; and

20 (3) for students enrolled in grade 8 before the 2005-2006
21 school year, determine whether students have met the state's
22 basic skills requirements; or

23 (4) for students enrolled in grade 8 in the 2005-2006
24 school year and later, determine whether students have met the
25 state's academic standards.

26 (d) Consistent with applicable federal law and subdivision
27 1, paragraph (d), clause (1), the commissioner must include
28 alternative assessments for the very few students with
29 disabilities for whom statewide assessments are inappropriate
30 and for students with limited English proficiency.

31 (e) A school, school district, and charter school must
32 administer statewide assessments under this section, as the
33 assessments become available, to evaluate student progress in
34 achieving the academic standards. If a state assessment is not
35 available, a school, school district, and charter school must
36 determine locally if a student has met the required academic

1 standards. A school, school district, or charter school may use
2 a student's performance on a statewide assessment as one of
3 multiple criteria to determine grade promotion or retention. A
4 school, school district, or charter school may use a high school
5 student's performance on a statewide assessment as a percentage
6 of the student's final grade in a course, or place a student's
7 assessment score on the student's transcript.

8 Sec. 19. Minnesota Statutes 2004, section 120B.30, is
9 amended by adding a subdivision to read:

10 Subd. 4. [ACCESS TO TESTS.] The commissioner must adopt
11 and publish a policy to provide public and parental access for
12 review of basic skills tests, Minnesota comprehensive
13 assessments, or any other such statewide test and assessment.
14 Upon receiving a written request, the commissioner must make
15 available to parents or guardians a copy of their student's
16 actual answer sheet to the test questions to be reviewed by the
17 parent and the student's teacher at the school site.

18 Sec. 20. [120B.361] [VALUE-ADDED ASSESSMENT PROGRAM.]

19 (a) The commissioner of education must implement a
20 value-added assessment program to assist school districts,
21 public schools, and charter schools in assessing and reporting
22 students' growth in academic achievement under section 120B.30,
23 subdivision 1a. The program must use assessments of students'
24 academic achievement to make longitudinal comparisons of each
25 student's academic growth over time. School districts, public
26 schools, and charter schools may apply to the commissioner to
27 participate in the initial trial program using a form and in the
28 manner the commissioner prescribes. The commissioner must
29 select program participants from urban, suburban, and rural
30 areas throughout the state.

31 (b) The commissioner may issue a request for a proposal to
32 contract with an organization that provides a value-added
33 assessment model that reliably estimates school and school
34 district effects on students' academic achievement over time.
35 The model the commissioner selects must accommodate diverse data
36 and must use each student's test data across grades.

1 (c) The contract under paragraph (b) must be consistent
2 with the definition of "best value" under section 16C.02,
3 subdivision 4.

4 [EFFECTIVE DATE.] This section is effective the day
5 following final enactment.

6 Sec. 21. [120B.362] [GRANTS FOR SITE-BASED ACHIEVEMENT
7 CONTRACTS.]

8 Subdivision 1. [ELIGIBLE SCHOOLS.] (a) The commissioner of
9 education shall award grants to public school sites to increase
10 student achievement and eliminate the achievement gap at the
11 school site.

12 (b) The commissioner shall select sites that meet the
13 following criteria:

14 (1) have at least 75 percent of enrollment eligible for
15 free or reduced-price lunch;

16 (2) have an enrollment where at least 75 percent of the
17 students are students of color; and

18 (3) have failed to meet adequate yearly progress for at
19 least two consecutive years.

20 (c) In order to be eligible for a grant under this section,
21 a public school site shall have an approved site decision-making
22 agreement under section 123B.04, including an achievement
23 contract under section 123B.04, subdivision 4. The site
24 decision-making team shall include the principal or the person
25 having general control of the school site.

26 (d) The site team shall have a plan approved by the school
27 board and shall also have an agreement with the exclusive
28 bargaining unit of the district to participate in this grant
29 program.

30 Subd. 2. [APPLICATION.] (a) The applicant shall submit a
31 plan that will result in at least 80 percent of the students at
32 the site testing at a proficient level for their grade by the
33 end of the grant period of six years, with at least 60 percent
34 of the students testing at a proficient level for their grade at
35 the midpoint of the grant period.

36 (b) The site team shall include in its application a

1 detailed plan for using multiple objective and measurable
2 methods for tracking student achievement during the duration of
3 the grant and shall also include curriculum and academic
4 requirements that are rigorous and challenging for all
5 students. The site shall have the ability to return timely test
6 data to teachers and have a plan that demonstrates that the
7 teachers at the site can use the data to help improve curriculum
8 as well as monitor student achievement.

9 (c) The applicant shall have in its site-based plan an
10 agreement between the district and the exclusive bargaining unit
11 of the district that would give the site-based team increased
12 stability in the placement of teachers at the site. The
13 applicant shall include other innovative site-based personnel
14 decision-making items in its agreement that may include, but are
15 not limited to: hiring bonuses, additional ongoing
16 collaborative preparation time, on-site staff development,
17 hiring additional staff, and performance-based incentives.

18 (d) The site team shall also include in its application a
19 plan for a greater involvement of parents and the community in
20 the school, a plan for ensuring that each student at the site
21 can develop a meaningful relationship with at least one teacher
22 at the school site, and a clear approach to school safety,
23 including promoting respect for students and teachers.

24 Subd. 3. [GRANT AWARDS.] (a) The commissioner shall award
25 grants to a school site in three parts:

26 (1) one-third of the total grant amount is awarded at the
27 beginning of the grant agreement;

28 (2) one-third is awarded at the midpoint of the grant
29 agreement if the site has met the achievement goals established
30 in subdivision 2, paragraph (a); and

31 (3) one-third is awarded upon the completion of the grant
32 agreement if the site has met the achievement goals established
33 in subdivision 2, paragraph (a).

34 (b) The total grant award for a school site shall be at
35 least \$150,000 and shall not exceed \$500,000. The commissioner
36 shall determine the grant amount based on the number of students

1 enrolled at the site.

2 (c) The commissioner shall determine all other aspects of
3 the application and grant award process consistent with this
4 section.

5 Subd. 4. [REPORT.] The commissioner shall report annually
6 by March 1 during the program, with a final report due by
7 January 15, 2011, to the house of representatives and senate
8 committees having jurisdiction over education on the progress of
9 the program, including at least improvement in student
10 achievement, the effect of innovative personnel decision making
11 on closing the achievement gap, and the characteristics of
12 highly effective teachers.

13 [EFFECTIVE DATE.] This section is effective the day
14 following final enactment and applies to the 2005-2006 through
15 2011-2012 school years.

16 Sec. 22. Minnesota Statutes 2004, section 121A.06,
17 subdivision 2, is amended to read:

18 Subd. 2. [REPORTS; CONTENT.] ~~By January 17, 1994, the~~
19 ~~commissioner, in consultation with the criminal and juvenile~~
20 ~~information policy group, shall develop a standardized form to~~
21 ~~be used by schools to report incidents involving the use or~~
22 ~~possession of a dangerous weapon in school zones. School~~
23 districts must electronically report to the commissioner of
24 education incidents involving the use or possession of a
25 dangerous weapon in school zones. The form shall must include
26 the following information:

27 (1) a description of each incident, including a description
28 of the dangerous weapon involved in the incident;

29 (2) where, at what time, and under what circumstances the
30 incident occurred;

31 (3) information about the offender, other than the
32 offender's name, including the offender's age; whether the
33 offender was a student and, if so, where the offender attended
34 school; and whether the offender was under school expulsion or
35 suspension at the time of the incident;

36 (4) information about the victim other than the victim's

1 name, if any, including the victim's age; whether the victim was
2 a student and, if so, where the victim attended school; and if
3 the victim was not a student, whether the victim was employed at
4 the school;

5 (5) the cost of the incident to the school and to the
6 victim; and

7 (6) the action taken by the school administration to
8 respond to the incident.

9 The commissioner ~~also shall develop~~ provide an alternative
10 electronic reporting format that allows school districts to
11 provide aggregate data, ~~with an option to use computer~~
12 ~~technology to report the data.~~

13 Sec. 23. Minnesota Statutes 2004, section 121A.06,
14 subdivision 3, is amended to read:

15 Subd. 3. [REPORTS; FILING REQUIREMENTS.] By ~~February 1 and~~
16 ~~July 1~~ 31 of each year, each school other than a home school
17 shall report incidents involving the use or possession of a
18 dangerous weapon in school zones to the commissioner. The
19 reports by public schools must be ~~made on the standardized forms~~
20 ~~or using the alternative format~~ submitted using the electronic
21 reporting system developed by the commissioner under subdivision
22 2. The commissioner shall compile the information it receives
23 from the schools and report it annually to the commissioner of
24 public safety, ~~the criminal and juvenile information policy~~
25 ~~group,~~ and the legislature.

26 Sec. 24. [121A.0695] [SCHOOL BOARD POLICY; PROHIBITING
27 INTIMIDATION AND BULLYING.]

28 Subdivision 1. [INTIMIDATION OR BULLYING
29 DEFINED.] "Intimidation or bullying" means an intentional
30 gesture or a written, oral, or physical act or threat that a
31 reasonable person under the circumstances knows or should know
32 has the effect of:

33 (1) harming a student;

34 (2) damaging a student's property;

35 (3) placing a student in reasonable fear of harm to the
36 student's person;

1 (4) placing a student in reasonable fear of damage to the
2 student's property; or

3 (5) creating a severe or persistent environment of
4 intimidation or abuse.

5 Subd. 2. [MODEL POLICY.] The commissioner of education
6 shall maintain and make available to school boards and other
7 schools a model policy prohibiting intimidation and bullying
8 that addresses the requirements of subdivision 3.

9 Subd. 3. [SCHOOL BOARD POLICY.] Each school board shall
10 adopt a written policy prohibiting intimidation and bullying of
11 any student, including, but not limited to, the acts defined in
12 subdivision 1. The policy must describe the behavior expected
13 of each student and state the consequences for and the
14 appropriate remedial action to be taken against the person
15 acting to intimidate or bully. The policy must include
16 reporting procedures, including, at a minimum, requiring school
17 personnel to report student intimidation or bullying incidents
18 and allowing persons to report incidents anonymously. Each
19 district must integrate into its violence prevention program
20 under section 120B.22, if applicable, behavior and expectations
21 established under this section. Each school must include the
22 policy in the student handbook on school policies.

23 [EFFECTIVE DATE.] This section is effective for the
24 2005-2006 school year and later.

25 Sec. 25. [121A.222] [POSSESSION AND USE OF NONPRESCRIPTION
26 PAIN RELIEVERS BY SECONDARY STUDENTS.]

27 A secondary student may possess and use nonprescription
28 pain relief in a manner consistent with the labeling, if the
29 district has received a written authorization from the student's
30 parent permitting the student to self-administer the
31 medication. The parent must submit written authorization for
32 the student to self-administer the medication each school year.
33 The district may revoke a student's privilege to possess and use
34 nonprescription pain relievers if the district determines that
35 the student is abusing the privilege.

36 Sec. 26. [121A.231] [COMPREHENSIVE FAMILY LIFE AND

1 SEXUALITY EDUCATION PROGRAMS.]

2 Subdivision 1. [DEFINITIONS.] (a) "Comprehensive family
3 life and sexuality education" means education in grades 7
4 through 12 that:

5 (1) respects community values and encourages family
6 communication;

7 (2) develops skills in communication, decision making, and
8 conflict resolution;

9 (3) contributes to healthy relations;

10 (4) provides human development and sexuality education that
11 is age appropriate and medically accurate;

12 (5) promotes responsible sexual behavior, including an
13 abstinence-first approach to delaying initiation to sexual
14 activity that emphasizes abstinence while also including
15 education about the use of protection and contraception; and

16 (6) promotes individual responsibility.

17 (b) "Age appropriate" refers to topics, messages, and
18 teaching methods suitable to particular ages or age groups of
19 children and adolescents, based on developing cognitive,
20 emotional, and behavioral capacity typical for the age or age
21 group.

22 (c) "Medically accurate" means verified or supported by
23 research conducted in compliance with scientific methods and
24 published in peer-reviewed journals, where appropriate, and
25 recognized as accurate and objective by professional
26 organizations and agencies in the relevant field, such as the
27 federal Centers for Disease Control and Prevention, the American
28 Public Health Association, the American Academy of Pediatrics,
29 or the American College of Obstetricians and Gynecologists.

30 Subd. 2. [CURRICULUM REQUIREMENTS.] (a) A school district
31 may offer and may independently establish policies, procedures,
32 curriculum, and services for providing comprehensive family life
33 and sexuality education that is age appropriate and medically
34 accurate for kindergarten through grade 6.

35 (b) A school district must offer and may independently
36 establish policies, procedures, curriculum, and services for

1 providing comprehensive family life and sexuality education that
2 is age appropriate and medically accurate for grades 7 through
3 12.

4 Subd. 3. [NOTICE AND PARENTAL OPTIONS.] (a) It is the
5 legislature's intent to encourage pupils to communicate with
6 their parents or guardians about human sexuality and to respect
7 rights of parents or guardians to supervise their children's
8 education on these subjects.

9 (b) Parents or guardians may excuse their children from all
10 or part of a comprehensive family life and sexuality education
11 program.

12 (c) A school district must establish procedures for
13 providing parents or guardians reasonable notice with the
14 following information:

15 (1) if the district is offering a comprehensive family life
16 and sexuality education program to the parents' or guardians'
17 child during the course of the year;

18 (2) how the parents or guardians may inspect the written
19 and audio/visual educational materials used in the program and
20 the process for inspection;

21 (3) if the program is presented by school district
22 personnel or outside consultants, and if outside consultants are
23 used, who they may be; and

24 (4) parents' or guardians' right to choose not to have
25 their child participate in the program and the procedure for
26 exercising that right.

27 (d) A school district must establish procedures for
28 reasonably restricting the availability of written and
29 audio/visual educational materials from public view of students
30 who have been excused from all or part of a comprehensive family
31 life and sexuality education program at the request of a parent
32 or guardian.

33 Subd. 4. [ASSISTANCE TO SCHOOL DISTRICTS.] (a) The
34 Department of Education may offer services to school districts
35 to help them implement effective comprehensive family life and
36 sexuality education programs. In providing these services, the

1 department may contract with a school district, or a school
2 district in partnership with a local health agency or a
3 nonprofit organization, to establish up to eight regional
4 training sites, taking into account geographical balance, to
5 provide:

6 (1) training for teachers, parents, and community members
7 in the development of comprehensive family life and sexuality
8 education curriculum or services and in planning for monitoring
9 and evaluation activities;

10 (2) resource staff persons to provide expert training,
11 curriculum development and implementation, and evaluation
12 services;

13 (3) technical assistance to promote and coordinate
14 community, parent, and youth forums in communities identified as
15 having high needs for comprehensive family life and sexuality
16 education;

17 (4) technical assistance for issue management and policy
18 development training for school boards, superintendents,
19 principals, and administrators across the state; and

20 (5) funding for grants to school-based comprehensive family
21 life and sexuality education programs to promote innovation and
22 to recognize outstanding performance and promote replication of
23 demonstrably effective strategies.

24 (b) Technical assistance provided by the department to
25 school districts or regional training sites may:

26 (1) promote instruction and use of materials that are age
27 appropriate;

28 (2) provide information that is medically accurate and
29 objective;

30 (3) provide instruction and promote use of materials that
31 are respectful of marriage and commitments in relationships;

32 (4) provide instruction and promote use of materials that
33 are appropriate for use with pupils and family experiences based
34 on race, gender, sexual orientation, ethnic and cultural
35 background, and appropriately accommodate alternative learning
36 based on language or disability;

1 (5) provide instruction and promote use of materials that
2 encourage pupils to communicate with their parents or guardians
3 about human sexuality;

4 (6) provide instruction and promote use of age-appropriate
5 materials that teach abstinence from sexual intercourse as the
6 only certain way to prevent unintended pregnancy or sexually
7 transmitted infections, including HIV, and provide information
8 about the role and value of abstinence while also providing
9 medically accurate information on other methods of preventing
10 and reducing risk for unintended pregnancy and sexually
11 transmitted infections;

12 (7) provide instruction and promote use of age-appropriate
13 materials that are medically accurate in explaining transmission
14 modes, risks, symptoms, and treatments for sexually transmitted
15 infections, including HIV;

16 (8) provide instruction and promote use of age-appropriate
17 materials that address varied societal views on sexuality,
18 sexual behaviors, pregnancy, and sexually transmitted
19 infections, including HIV, in an age-appropriate manner;

20 (9) provide instruction and promote use of age-appropriate
21 materials that provide information about the effectiveness and
22 safety of all FDA-approved methods for preventing and reducing
23 risk for unintended pregnancy and sexually transmitted
24 infections, including HIV;

25 (10) provide instruction and promote use of age-appropriate
26 materials that provide instruction in skills for making and
27 implementing responsible decisions about sexuality;

28 (11) provide instruction and promote use of age-appropriate
29 materials that provide instruction in skills for making and
30 implementing responsible decisions about finding and using
31 health services; and

32 (12) provide instruction and promote use of age-appropriate
33 materials that do not teach or promote religious doctrine nor
34 reflect or promote bias against any person on the basis of any
35 category protected under the Minnesota Human Rights Act, chapter
36 363A.

1 Sec. 27. Minnesota Statutes 2004, section 121A.53, is
2 amended to read:

3 121A.53 [REPORT TO COMMISSIONER OF EDUCATION.]

4 Subdivision 1. [EXCLUSIONS AND EXPULSIONS.] The school
5 board ~~shall~~ must report through the department electronic
6 reporting system each exclusion or expulsion within 30 days of
7 the effective date of the action to the commissioner of
8 education. This report ~~shall~~ must include a statement of
9 alternative educational services given the pupil and the reason
10 for, the effective date, and the duration of the exclusion or
11 expulsion. The report must also include the student's age,
12 grade, gender, race, and special education status.

13 Subd. 2. [REPORT.] The school board must include state
14 student identification numbers of affected pupils on all
15 dismissal reports required by the department. The department
16 must report annually to the commissioner summary data on the
17 number of dismissals by age, grade, gender, race, and special
18 education status of the affected pupils. All dismissal reports
19 must be submitted through the department electronic reporting
20 system.

21 Sec. 28. Minnesota Statutes 2004, section 122A.06,
22 subdivision 4, is amended to read:

23 Subd. 4. [COMPREHENSIVE, SCIENTIFICALLY BASED READING
24 INSTRUCTION.] ~~"Comprehensive, scientifically based reading~~
25 ~~instruction"-includes-instruction-and-practice-in-phonemic~~
26 ~~awareness,-phonics-and-other-word-recognition-skills,-and-guided~~
27 ~~oral-reading-for-beginning-readers,-as-well-as-extensive-silent~~
28 ~~reading,-vocabulary-instruction,-instruction-in-comprehension,~~
29 ~~and-instruction-that-fosters-understanding-and-higher-order~~
30 ~~thinking-for-readers-of-all-ages-and-proficiency~~
31 ~~levels.~~ "Comprehensive, scientifically based reading
32 instruction" includes a program or collection of instructional
33 practices with demonstrated success in instructing learners and
34 reliable and valid evidence to support the conclusion that when
35 these methods are used with learners, they can be expected to
36 achieve, at a minimum, satisfactory progress in reading

1 achievement. The program or collection of practices must
2 include, at a minimum, instruction in five areas of reading:
3 phonemic awareness, phonics, fluency, vocabulary, and text
4 comprehension.

5 Comprehensive, scientifically based reading instruction
6 also includes and integrates instructional strategies for
7 continuously assessing and evaluating the learner's reading
8 progress and needs in order to design and implement ongoing
9 interventions so that learners of all ages and proficiency
10 levels can read and comprehend text and apply higher level
11 thinking skills.

12 Sec. 29. Minnesota Statutes 2004, section 122A.09,
13 subdivision 4, is amended to read:

14 Subd. 4. [LICENSE AND RULES.] (a) The board must adopt
15 rules to license public school teachers and interns subject to
16 chapter 14.

17 (b) The board must adopt rules requiring a person to
18 successfully complete a skills examination in reading, writing,
19 and mathematics as a requirement for initial teacher licensure.
20 Such rules must require college and universities offering a
21 board-approved teacher preparation program to provide remedial
22 assistance to persons who did not achieve a qualifying score on
23 the skills examination, including those for whom English is a
24 second language.

25 (c) The board must adopt rules to approve teacher
26 preparation programs. The board, upon the request of a
27 postsecondary student preparing for teacher licensure or a
28 licensed graduate of a teacher preparation program, shall assist
29 in resolving a dispute between the person and a postsecondary
30 institution providing a teacher preparation program when the
31 dispute involves an institution's recommendation for licensure
32 affecting the person or the person's credentials. At the
33 board's discretion, assistance may include the application of
34 chapter 14.

35 (d) The board must provide the leadership and shall adopt
36 rules for the redesign of teacher education programs to

1 implement a research based, results-oriented curriculum that
2 focuses on the skills teachers need in order to be effective.
3 The board shall implement new systems of teacher preparation
4 program evaluation to assure program effectiveness based on
5 proficiency of graduates in demonstrating attainment of program
6 outcomes.

7 (e) The board must adopt rules requiring successful
8 completion of an examination of general pedagogical knowledge
9 and examinations of licensure-specific teaching skills. The
10 rules shall be effective on the dates determined by the board
11 but not later than September 1, 2001.

12 (f) The board must adopt rules requiring teacher educators
13 to work directly with elementary or secondary school teachers in
14 elementary or secondary schools to obtain periodic exposure to
15 the elementary or secondary teaching environment.

16 (g) The board must grant licenses to interns and to
17 candidates for initial licenses.

18 (h) The board must design and implement an assessment
19 system which requires a candidate for an initial license and
20 first continuing license to demonstrate the abilities necessary
21 to perform selected, representative teaching tasks at
22 appropriate levels.

23 (i) The board must receive recommendations from local
24 committees as established by the board for the renewal of
25 teaching licenses.

26 (j) The board must grant life licenses to those who qualify
27 according to requirements established by the board, and suspend
28 or revoke licenses pursuant to sections 122A.20 and 214.10. The
29 board must not establish any expiration date for application for
30 life licenses.

31 (k) The board must adopt rules that require all licensed
32 teachers who are renewing their continuing license to include in
33 their renewal requirements further preparation in the areas of
34 using positive behavior interventions and in accommodating,
35 modifying, and adapting curricula, materials, and strategies to
36 appropriately meet the needs of individual students and ensure

1 adequate progress toward the state's graduation rule.

2 (l) In adopting rules to license public school teachers who
3 provide health-related services for disabled children, the board
4 shall adopt rules consistent with license or registration
5 requirements of the commissioner of health and the
6 health-related boards who license personnel who perform similar
7 services outside of the school.

8 (m) The board must adopt rules that require all licensed
9 teachers who are renewing their continuing license to include in
10 their renewal requirements further reading preparation,
11 consistent with section 122A.06, subdivision 4. The rules do
12 not take effect until they are approved by law. Teachers who do
13 not provide direct instruction including, at least, counselors,
14 school psychologists, school nurses, school social workers,
15 audiovisual directors and coordinators, and recreation personnel
16 are exempt from this section.

17 (n) The board must adopt rules that require all licensed
18 teachers who are renewing their continuing license to include in
19 their renewal requirements further preparation in understanding
20 the key warning signs of early-onset mental illness in children
21 and adolescents.

22 Sec. 30. Minnesota Statutes 2004, section 122A.18,
23 subdivision 2a, is amended to read:

24 Subd. 2a. [READING STRATEGIES.] (a) All colleges and
25 universities approved by the Board of Teaching to prepare
26 persons for classroom teacher licensure must include in their
27 teacher preparation programs ~~reading-best-practices-that-enable~~
28 ~~classroom-teacher-licensure-candidates-to-know-how-to-teach~~
29 ~~reading,-such-as-phenies-or-other~~ research-based best practices
30 in reading, consistent with section 122A.06, subdivision 4, that
31 enable the licensure candidate to know how to teach reading in
32 the candidate's content areas.

33 (b) Board-approved teacher preparation programs for
34 teachers of elementary education must require instruction in the
35 application of comprehensive, scientifically based, and balanced
36 reading instruction programs that:

1 (1) teach students to read using foundational knowledge,
2 practices, and strategies consistent with section 122A.06,
3 subdivision 4, so that all students will achieve continuous
4 progress in reading; and

5 (2) teach specialized instruction in reading strategies,
6 interventions, and remediations that enable students of all ages
7 and proficiency levels to become proficient readers.

8 Sec. 31. Minnesota Statutes 2004, section 122A.40,
9 subdivision 5, is amended to read:

10 Subd. 5. [PROBATIONARY PERIOD.] (a) The first three
11 consecutive years of a teacher's first teaching experience in
12 Minnesota in a single district is deemed to be a probationary
13 period of employment, and after completion thereof, the
14 probationary period in each district in which the teacher is
15 thereafter employed shall be one year. The school board must
16 adopt a plan for written evaluation of teachers during the
17 probationary period. Evaluation must occur at least three times
18 each year for a teacher performing services on 120 or more
19 school days, at least two times each year for a teacher
20 performing services on 60 to 119 school days, and at least one
21 time each year for a teacher performing services on fewer than
22 60 school days. Days devoted to parent-teacher conferences,
23 teachers' workshops, and other staff development opportunities
24 and days on which a teacher is absent from school must not be
25 included in determining the number of school days on which a
26 teacher performs services. Except as otherwise provided in
27 paragraph (b), during the probationary period any annual
28 contract with any teacher may or may not be renewed as the
29 school board shall see fit. However, the board must give any
30 such teacher whose contract it declines to renew for the
31 following school year written notice to that effect before July
32 1. If the teacher requests reasons for any nonrenewal of a
33 teaching contract, the board must give the teacher its reason in
34 writing, including a statement that appropriate supervision was
35 furnished describing the nature and the extent of such
36 supervision furnished the teacher during the employment by the

1 board, within ten days after receiving such request. The school
2 board may, after a hearing held upon due notice, discharge a
3 teacher during the probationary period for cause, effective
4 immediately, under section 122A.44.

5 (b) A board must discharge a probationary teacher,
6 effective immediately, upon receipt of notice under section
7 122A.20, subdivision 1, paragraph (b), that the teacher's
8 license has been revoked due to a conviction for child abuse or
9 sexual abuse.

10 (c) A probationary teacher whose first three years of
11 consecutive employment is interrupted for active military
12 service and who promptly resumes teaching consistent with
13 federal reemployment timelines for uniformed service personnel
14 under United States Code, title 38, section 4312(e), is
15 considered to have a consecutive teaching experience for
16 purposes of paragraph (a).

17 (d) A probationary teacher must complete at least 60 days
18 of teaching service each year during the probationary period.
19 Days devoted to parent-teacher conferences, teachers' workshops,
20 and other staff development opportunities and days on which a
21 teacher is absent from school do not count as days of teaching
22 service under this paragraph.

23 [EFFECTIVE DATE.] Paragraph (c) of this section is
24 retroactively effective to September 10, 2001, and applies to
25 those probationary teachers absent for active military service
26 beginning on September 10, 2001, or later. Paragraph (d) of this
27 section is effective July 1, 2005.

28 Sec. 32. Minnesota Statutes 2004, section 122A.41,
29 subdivision 2, is amended to read:

30 Subd. 2. [PROBATIONARY PERIOD; DISCHARGE OR DEMOTION.] All
31 teachers in the public schools in cities of the first class
32 during the first three years of consecutive employment shall be
33 deemed to be in a probationary period of employment during which
34 period any annual contract with any teacher may, or may not, be
35 renewed as the school board, after consulting with the peer
36 review committee charged with evaluating the probationary

1 teachers under subdivision 3, shall see fit. The school site
2 management team or the school board if there is no school site
3 management team, shall adopt a plan for a written evaluation of
4 teachers during the probationary period according to subdivision
5 3. Evaluation by the peer review committee charged with
6 evaluating probationary teachers under subdivision 3 shall occur
7 at least three times each year for a teacher performing services
8 on 120 or more school days, at least two times each year for a
9 teacher performing services on 60 to 119 school days, and at
10 least one time each year for a teacher performing services on
11 fewer than 60 school days. Days devoted to parent-teacher
12 conferences, teachers' workshops, and other staff development
13 opportunities and days on which a teacher is absent from school
14 shall not be included in determining the number of school days
15 on which a teacher performs services. The school board may,
16 during such probationary period, discharge or demote a teacher
17 for any of the causes as specified in this code. A written
18 statement of the cause of such discharge or demotion shall be
19 given to the teacher by the school board at least 30 days before
20 such removal or demotion shall become effective, and the teacher
21 so notified shall have no right of appeal therefrom.

22 (b) A probationary teacher whose first three years of
23 consecutive employment is interrupted for active military
24 service and who promptly resumes teaching consistent with
25 federal reemployment timelines for uniformed service personnel
26 under United States Code, title 38, section 4312(e), is
27 considered to have a consecutive teaching experience for
28 purposes of paragraph (a).

29 (c) A probationary teacher must complete at least 60 days
30 of teaching service each year during the probationary period.
31 Days devoted to parent-teacher conferences, teachers' workshops,
32 and other staff development opportunities and days on which a
33 teacher is absent from school do not count as days of teaching
34 service under this paragraph.

35 [EFFECTIVE DATE.] Paragraph (b) of this section is
36 retroactively effective to September 10, 2001, and applies to

1 those probationary teachers absent for active military service
2 beginning on September 10, 2001, or later. Paragraph (c) of
3 this section is effective July 1, 2005.

4 Sec. 33. Minnesota Statutes 2004, section 122A.41,
5 subdivision 5a, is amended to read:

6 Subd. 5a. [PROBATIONARY PERIOD FOR PRINCIPALS HIRED
7 INTERNALLY.] A board and the exclusive representative of the
8 school principals in the district may negotiate a plan for a
9 probationary period of up to two school years for licensed
10 teachers employed by the board who are subsequently employed by
11 the board as a licensed school principal or assistant principal
12 and an additional probationary period of up to two years for
13 licensed assistant principals employed by the board who are
14 subsequently employed by the board as a licensed school
15 principal.

16 [EFFECTIVE DATE.] This section is effective August 1, 2005.

17 Sec. 34. Minnesota Statutes 2004, section 122A.41,
18 subdivision 14, is amended to read:

19 Subd. 14. [SERVICES TERMINATED BY DISCONTINUANCE OR LACK
20 OF PUPILS; PREFERENCE GIVEN.] (a) A teacher whose services are
21 terminated on account of discontinuance of position or lack of
22 pupils must receive first consideration for other positions in
23 the district for which that teacher is qualified. In the event
24 it becomes necessary to discontinue one or more positions, in
25 making such discontinuance, teachers must be discontinued in any
26 department in the inverse order in which they were employed,
27 unless a board and the exclusive representative of teachers in
28 the district negotiate a plan providing otherwise.

29 (b) Notwithstanding the provisions of clause (a), a teacher
30 is not entitled to exercise any seniority when that exercise
31 results in that teacher being retained by the district in a
32 field for which the teacher holds only a provisional license, as
33 defined by the Board of Teaching, unless that exercise of
34 seniority results in the termination of services, on account of
35 discontinuance of position or lack of pupils, of another teacher
36 who also holds a provisional license in the same field. The

1 provisions of this clause do not apply to vocational education
2 licenses.

3 (c) Notwithstanding the provisions of clause (a), a teacher
4 must not be reinstated to a position in a field in which the
5 teacher holds only a provisional license, other than a
6 vocational education license, while another teacher who holds a
7 nonprovisional license in the same field is available for
8 reinstatement.

9 [EFFECTIVE DATE.] This section is effective August 1, 2005.

10 Sec. 35. Minnesota Statutes 2004, section 122A.413, is
11 amended to read:

12 122A.413 [EDUCATIONAL IMPROVEMENT PLAN.]

13 Subdivision 1. [QUALIFYING PLAN.] A district may develop
14 an educational improvement plan for the purpose of qualifying
15 for ~~alternative-teacher-compensation~~ principled pay practices
16 ~~aid under sections-122A-414-and-122A-415~~ section 122A.4142. The
17 plan must include measures for improving school district, school
18 site, teacher, and individual student performance.

19 Subd. 2. [PLAN COMPONENTS.] The educational improvement
20 plan must be approved by the school board and have at least
21 these elements:

22 (1) assessment and evaluation tools to measure student
23 performance and progress;

24 (2) performance goals and benchmarks for improvement;

25 (3) measures of student attendance and completion rates;

26 (4) a rigorous professional development system, consistent
27 with section 122A.60, that is aligned with educational

28 improvement, designed to achieve teaching quality improvement,
29 and consistent with clearly defined research-based standards;

30 (5) measures of student, family, and community involvement
31 and satisfaction;

32 (6) a data system about students and their academic
33 progress that provides parents and the public with
34 understandable information; and

35 (7) a teacher induction and mentoring program for
36 probationary teachers that provides continuous learning and

1 ~~sustained teacher support.--The process for developing the plan~~
2 ~~must involve district teachers; and~~

3 (8) substantial teacher participation in developing the
4 plan, including teachers selected by the exclusive
5 representative of the teachers.

6 Subd. 3. [SCHOOL SITE ACCOUNTABILITY.] A district that
7 develops a plan under subdivisions 1 and 2 must ensure that each
8 school site develops a board-approved educational improvement
9 plan that is aligned with the district educational improvement
10 plan under subdivision 2 and developed with teacher
11 participation consistent with subdivision 2, clause (8). While
12 a site plan must be consistent with the district educational
13 improvement plan, it may establish performance goals and
14 benchmarks that meet or exceed those of the district. The
15 ~~process for developing the plan must involve site teachers.~~

16 Sec. 36. [122A.4142] [PRINCIPLED PAY PRACTICES FOR
17 TEACHERS.]

18 Subdivision 1. [PRINCIPLED PAY PRACTICES SYSTEM.] A school
19 district and the exclusive representative of the teachers may
20 adopt, by agreement, principled pay practices under subdivision
21 2 to provide incentives to attract and retain high-quality
22 teachers, encourage high-quality teachers to accept difficult
23 assignments, encourage teachers to improve their knowledge and
24 skills, and support teachers' roles in improving students'
25 educational achievement.

26 Subd. 2. [ELIGIBILITY FOR PRINCIPLED PAY PRACTICES
27 AID.] (a) To be eligible for principled pay practices aid, a
28 school district must submit to the department:

29 (1) a districtwide or site-based educational improvement
30 plan as described in section 122A.413;

31 (2) an executed collective bargaining agreement that
32 contains at least the following elements:

33 (i) a description of the conditions or actions necessary
34 for career advancement and additional compensation;

35 (ii) compensation provisions that base at least 60 percent
36 of any increase in compensation on performance and not on years

1 of service or the attainment of additional education or
2 training;

3 (iii) career advancement options for teachers retaining
4 primary roles in student instruction and for other members of
5 the bargaining unit;

6 (iv) incentives for teachers' continuous improvement in
7 content knowledge, pedagogy, and use of best practices;

8 (v) an objective evaluation program, including classroom or
9 performance observation, that is aligned with the district's or
10 site's educational improvement plan, and is a component of
11 determining performance;

12 (vi) provisions preventing any teacher's compensation from
13 being reduced as a result of implementing principled pay
14 practices;

15 (vii) provisions enabling any teacher in the district if
16 the principled pay practices are applied districtwide, or at a
17 site, if the practices apply only to a site, to participate in
18 the principled pay practices without limitations by quota or
19 other restrictions;

20 (viii) provisions encouraging collaboration among teachers
21 rather than competition; and

22 (ix) provisions for participation by all teachers in a
23 district, all teachers at a site, or at least 25 percent of the
24 teachers in a district.

25 (b) An agreement may contain different compensation
26 provisions for separate classifications of employees.

27 Subd. 3. [COMMISSIONER APPROVAL.] (a) Before concluding a
28 collective bargaining agreement, a district may submit a
29 proposed agreement and educational improvement plan for review,
30 comment, and preliminary approval by the commissioner. If the
31 plan and agreement are executed in the same form as
32 preliminarily approved by the commissioner, the plan and
33 agreement must be approved without further review.

34 (b) The application to the commissioner must contain a
35 formally adopted collective bargaining agreement, memorandum of
36 understanding, or other binding agreement that implements

1 principled pay practices consistent with this section.

2 (c) The commissioner's approval must be based on the
3 requirements established in subdivision 2. If the commissioner
4 does not approve an application, the notice to the school
5 district must provide details regarding the commissioner's
6 reason for rejecting the application.

7 (d) A school district that intends to apply for principled
8 pay practices aid for the first time must notify the
9 commissioner in writing by November 1 prior to the academic year
10 for which they intend to seek aid. The commissioner must
11 approve initial applications for school districts qualifying
12 under subdivision 4, paragraph (b), clause (1), by January 15 of
13 each year.

14 Subd. 4. [AID AMOUNT.] (a) A school district that meets
15 the conditions of this section, as approved by the commissioner,
16 is eligible for principled pay practices aid.

17 (b) Principled pay practices aid for a qualifying school
18 district, site, or portion of a district or school site is as
19 follows:

20 (1) for a school district in which the school board and the
21 exclusive representative of the teachers agree to place all
22 teachers in the district or at the site in the principled pay
23 practices system, aid equals \$150 times the district's or the
24 site's number of pupils enrolled on October 1 of the previous
25 fiscal year; or

26 (2) for a district in which the school board and the
27 exclusive representative of the teachers agree that at least 25
28 percent of the district's licensed teachers will be paid under
29 the principled pay practices system, aid equals \$150 times the
30 percentage of participating teachers times the district's number
31 of pupils enrolled as of October 1 of the previous fiscal year.

32 Subd. 5. [PERCENTAGE OF TEACHERS.] For purposes of
33 subdivision 4, the percentage of teachers participating in the
34 principled pay practices system equals the ratio of the number
35 of licensed teachers who are working at least 60 percent of a
36 full-time teacher's hours and agree to participate in the

1 principled pay practices system to the total number of licensed
2 teachers who are working at least 60 percent of a full-time
3 teacher's hours.

4 Subd. 6. [AID TIMING.] Districts or sites with approved
5 applications must receive principled pay practices aid for each
6 school year that the district or site participates in the
7 program.

8 Subd. 7. [ANNUAL AID APPROPRIATION.] The amount necessary
9 for this purpose is appropriated annually from the general fund
10 to the commissioner of education for principled pay practices
11 aid under this section.

12 [EFFECTIVE DATE.] This section is effective for fiscal year
13 2006 and thereafter.

14 Sec. 37. [122A.4143] [CLOSED CONTRACT.]

15 A district and the exclusive representative of the teachers
16 may agree jointly to reopen a collective bargaining agreement
17 for the sole purpose of entering into a principled pay practices
18 system consistent with section 122A.4142 and an educational
19 improvement plan under section 122A.413.

20 Sec. 38. [122A.628] [SCHOOLS MENTORING SCHOOLS REGIONAL
21 SITES.]

22 The commissioner of education shall select up to four
23 school districts, or partnerships of school districts, for the
24 purpose of assisting other school districts in the region with
25 the development of thorough and effective teacher mentoring
26 programs. The commissioner shall use geographic balance and
27 proven teacher induction programs as criteria when selecting the
28 sites. One site must include the Brainerd teacher support
29 system, which has been cited by the Minnesota Board of Teaching
30 as a model program and was one of only six programs in the
31 nation to be recognized for the 2004 NEA-Saturn/UAW partnership
32 award. The sites shall be known as schools mentoring schools
33 regional sites.

34 The sites shall provide high quality mentoring assistance
35 programs and services to other nearby school districts for the
36 development of effective systems of support for new teachers.

1 The sites shall offer coaching/mentor training, in-class
2 observation training, and train-the-teacher opportunities for
3 teams of participating teachers. The sites shall use their
4 recognized experience and methods to equip schools to work with
5 their own new and beginning teachers. The commissioner shall
6 review and report annually to the legislature on the operation
7 of each training center.

8 Sec. 39. Minnesota Statutes 2004, section 123B.02, is
9 amended by adding a subdivision to read:

10 Subd. 14a. [EMPLOYEE RECOGNITION.] A school board may
11 establish and operate an employee recognition program for
12 district employees, including teachers, and may expend funds as
13 necessary to achieve the objectives of the program.

14 Sec. 40. Minnesota Statutes 2004, section 123B.02, is
15 amended by adding a subdivision to read:

16 Subd. 22. [REWARDS.] A school board may offer a reward to
17 persons who provide accurate and reliable information that leads
18 to the apprehension and arrest of a person who has committed a
19 crime against school district property, students, employees or
20 volunteers, or school board members.

21 [EFFECTIVE DATE.] This section is effective the day
22 following final enactment.

23 Sec. 41. Minnesota Statutes 2004, section 124D.09,
24 subdivision 12, is amended to read:

25 Subd. 12. [CREDITS.] A pupil may enroll in a course under
26 this section for either secondary credit or postsecondary
27 credit. At the time a pupil enrolls in a course, the pupil
28 shall designate whether the course is for secondary or
29 postsecondary credit. A pupil taking several courses may
30 designate some for secondary credit and some for postsecondary
31 credit. A pupil must not audit a course under this section.

32 A district shall grant academic credit to a pupil enrolled
33 in a course for secondary credit if the pupil successfully
34 completes the course. Seven quarter or four semester college
35 credits equal at least one full year of high school credit.
36 Fewer college credits may be prorated. A district must also

1 grant academic credit to a pupil enrolled in a course for
2 postsecondary credit if secondary credit is requested by a
3 pupil. If no comparable course is offered by the district, the
4 district must, as soon as possible, notify the commissioner, who
5 shall determine the number of credits that shall be granted to a
6 pupil who successfully completes a course. If a comparable
7 course is offered by the district, the school board shall grant
8 a comparable number of credits to the pupil. If there is a
9 dispute between the district and the pupil regarding the number
10 of credits granted for a particular course, the pupil may appeal
11 the board's decision to the commissioner. The commissioner's
12 decision regarding the number of credits shall be final.

13 The secondary credits granted to a pupil must be counted
14 toward the graduation requirements and subject area requirements
15 of the district. Evidence of successful completion of each
16 course and secondary credits granted must be included in the
17 pupil's secondary school record. A pupil shall provide the
18 school with a copy of the pupil's grade in each course taken for
19 secondary credit under this section. Upon the request of a
20 pupil, the pupil's secondary school record must also include
21 evidence of successful completion and credits granted for a
22 course taken for postsecondary credit. In either case, the
23 record must indicate that the credits were earned at a
24 postsecondary institution.

25 If a pupil enrolls in a postsecondary institution after
26 leaving secondary school, the postsecondary institution must
27 award postsecondary credit for any course successfully completed
28 for secondary credit at that institution. Other postsecondary
29 institutions may award, after a pupil leaves secondary school,
30 postsecondary credit for any courses successfully completed
31 under this section. An institution may not charge a pupil for
32 the award of credit.

33 The Board of Trustees of the Minnesota State Colleges and
34 Universities and the Board of Regents of the University of
35 Minnesota must, and private nonprofit and proprietary
36 postsecondary institutions should award postsecondary credit for

1 any successfully completed courses in a program certified by the
2 National Alliance of Concurrent Enrollment Partnership offered
3 according to an agreement under section 124D.09, subdivision 10.

4 Sec. 42. [124D.091] [CONCURRENT ENROLLMENT PROGRAM AID.]

5 Subdivision 1. [ELIGIBILITY.] A district that offers a
6 National Alliance of Concurrent Enrollment Partnership certified
7 program according to an agreement under section 124D.09,
8 subdivision 10, is eligible to receive aid to support the costs
9 associated with providing postsecondary courses at the high
10 school.

11 Subd. 2. [AID.] An eligible district shall receive \$150
12 per pupil enrolled in a course that is part of a program
13 certified by the National Alliance of Concurrent Enrollment
14 Partnership. The money must be used to defray the cost of
15 delivering the course at the high school. The commissioner
16 shall establish application procedures and deadlines for receipt
17 of aid payments.

18 Sec. 43. Minnesota Statutes 2004, section 124D.10,
19 subdivision 3, is amended to read:

20 Subd. 3. [SPONSOR.] (a) A school board; intermediate
21 school district school board; education district organized under
22 sections 123A.15 to 123A.19; charitable organization under
23 section 501(c)(3) of the Internal Revenue Code of 1986 that is a
24 member of the Minnesota Council of Nonprofits or the Minnesota
25 Council on Foundations, registered with the attorney general's
26 office, and reports an end-of-year fund balance of at least
27 \$2,000,000; Minnesota private college that grants two- or
28 four-year degrees and is registered with the Higher Education
29 Services Office under chapter 136A; community college, state
30 university, or technical college, governed by the Board of
31 Trustees of the Minnesota State Colleges and Universities; the
32 Board of the Perpich Center for Arts Education under chapter
33 129C; or the University of Minnesota may sponsor one or more
34 charter schools.

35 (b) A nonprofit corporation subject to chapter 317A,
36 described in section 317A.905, and exempt from federal income

1 tax under section 501(c)(6) of the Internal Revenue Code of
2 1986, may sponsor one or more charter schools if the charter
3 school has operated for at least three years under a different
4 sponsor and if the nonprofit corporation has existed for at
5 least 25 years.

6 Sec. 44. Minnesota Statutes 2004, section 124D.11,
7 subdivision 1, is amended to read:

8 Subdivision 1. [GENERAL EDUCATION REVENUE.] (a) General
9 education revenue must be paid to a charter school as though it
10 were a district. The general education revenue for each
11 adjusted marginal cost pupil unit is the state average general
12 education revenue per pupil unit, plus the referendum
13 equalization aid allowance in the pupil's district of residence,
14 minus an amount equal to the product of the formula allowance
15 according to section 126C.10, subdivision 2, times .0485,
16 calculated without basic skills revenue, extended time revenue,
17 transition revenue, and transportation sparsity revenue, plus
18 basic skills revenue, extended time revenue, and transition
19 revenue as though the school were a school district. The
20 general education revenue for each extended time marginal cost
21 pupil unit equals \$4,378.

22 (b) Notwithstanding paragraph (a), for charter schools in
23 the first year of operation, general education revenue shall be
24 computed using the number of adjusted pupil units in the current
25 fiscal year.

26 Sec. 45. Minnesota Statutes 2004, section 124D.11,
27 subdivision 6, is amended to read:

28 Subd. 6. [OTHER AID, GRANTS, REVENUE.] (a) A charter
29 school is eligible to receive other aids, grants, and revenue
30 according to chapters 120A to 129C, as though it were a district.

31 (b) Notwithstanding paragraph (a), a charter school may not
32 receive aid, a grant, or revenue if a levy is required to obtain
33 the money, or if the aid, grant, or revenue is a replacement of
34 levy revenue, except as otherwise provided in this section.

35 (c) Federal aid received by the state must be paid to the
36 school, if it qualifies for the aid as though it were a school

1 district.

2 (d) A charter school may receive money from any source for
3 capital facilities needs. In the year-end report to the
4 commissioner of education, the charter school shall report the
5 total amount of funds received from grants and other outside
6 sources.

7 Sec. 46. Minnesota Statutes 2004, section 124D.66,
8 subdivision 3, is amended to read:

9 Subd. 3. [ELIGIBLE SERVICES.] (a) Assurance of mastery
10 programs may provide direct instructional services to an
11 eligible pupil, or a group of eligible pupils, under the
12 following conditions in paragraphs (b) to (d).

13 (b) Instruction may be provided at one or more grade levels
14 from kindergarten to grade 8 and for students in grades 9
15 through 12 who were enrolled in grade 8 before the 2005-2006
16 school year and have failed the basic skills tests, or were
17 enrolled in grade 8 in the 2005-2006 school year and later and
18 who have failed the Minnesota Comprehensive Assessments
19 (MCA-IIIs) in reading, mathematics, or writing as required for
20 high school graduation under section 120B.02. If an assessment
21 of pupils' needs within a district demonstrates that the
22 eligible pupils in grades kindergarten to grade 8 are being
23 appropriately served, a district may serve eligible pupils in
24 grades 9 to 12.

25 (c) Instruction must be provided under the supervision of
26 the eligible pupil's regular classroom teacher. Instruction may
27 be provided by the eligible pupil's classroom teacher, by
28 another teacher, by a team of teachers, or by an education
29 assistant or aide. A special education teacher may provide
30 instruction, but instruction that is provided under this section
31 is not eligible for aid under section 125A.76.

32 (d) The instruction that is provided must differ from the
33 initial instruction the pupil received in the regular classroom
34 setting. The instruction may differ by presenting different
35 curriculum than was initially presented in the regular classroom
36 or by presenting the same curriculum:

1 (1) at a different rate or in a different sequence than it
2 was initially presented;

3 (2) using different teaching methods or techniques than
4 were used initially; or

5 (3) using different instructional materials than were used
6 initially.

7 Sec. 47. Minnesota Statutes 2004, section 124D.74,
8 subdivision 1, is amended to read:

9 Subdivision 1. [PROGRAM DESCRIBED.] American Indian
10 education programs are programs in public elementary and
11 secondary schools, nonsectarian nonpublic, community,
12 tribal, charter, or alternative schools enrolling American
13 Indian children designed to:

14 (1) support postsecondary preparation for pupils;

15 (2) support the academic achievement of American Indian
16 students with identified focus to improve reading and mathematic
17 skills;

18 (3) make the curriculum more relevant to the needs,
19 interests, and cultural heritage of American Indian pupils;

20 (4) provide positive reinforcement of the self-image of
21 American Indian pupils;

22 (5) develop intercultural awareness among pupils, parents,
23 and staff; and

24 (6) supplement, not supplant, state and federal educational
25 and cocurricular programs.

26 Program components may include: development of support
27 components for students in the areas of academic achievement,
28 retention, and attendance; development of support components for
29 staff, including in-service training and technical assistance in
30 methods of teaching American Indian pupils; research projects,
31 including experimentation with and evaluation of methods of
32 relating to American Indian pupils; provision of personal and
33 vocational counseling to American Indian pupils; modification of
34 curriculum, instructional methods, and administrative procedures
35 to meet the needs of American Indian pupils; and supplemental
36 instruction in American Indian language, literature, history,

1 and culture. Districts offering programs may make contracts for
2 the provision of program components by establishing cooperative
3 liaisons with tribal programs and American Indian social service
4 agencies. These programs may also be provided as components of
5 early childhood and family education programs.

6 Sec. 48. Minnesota Statutes 2004, section 124D.81,
7 subdivision 1, is amended to read:

8 Subdivision 1. [GRANTS; PROCEDURES.] Each fiscal year the
9 commissioner of education must make grants to no fewer than six
10 American Indian education programs. At least three programs
11 must be in urban areas and at least three must be on or near
12 reservations. The board of a local district, a participating
13 school or a group of boards may develop a proposal for grants in
14 support of American Indian education programs. Proposals may
15 provide for contracts for the provision of program components by
16 nonsectarian nonpublic, community, tribal, charter, or
17 alternative schools. The commissioner shall prescribe the form
18 and manner of application for grants, and no grant shall be made
19 for a proposal not complying with the requirements of sections
20 124D.71 to 124D.82. ~~The commissioner must submit all proposals~~
21 ~~to the state Advisory Committee on American Indian Education~~
22 ~~Programs for its recommendations concerning approval,~~
23 ~~modification, or disapproval and the amounts of grants to~~
24 ~~approved programs.~~

25 Sec. 49. Minnesota Statutes 2004, section 124D.84,
26 subdivision 1, is amended to read:

27 Subdivision 1. [AWARDS.] The commissioner ~~with the advice~~
28 ~~and counsel of the Minnesota Indian Education Committee,~~ may
29 award scholarships to any Minnesota resident student who is of
30 one-fourth or more Indian ancestry, who has applied for other
31 existing state and federal scholarship and grant programs, and
32 who, in the opinion of the commissioner, has the capabilities to
33 benefit from further education. Scholarships must be for
34 accredited degree programs in accredited Minnesota colleges or
35 universities or for courses in accredited Minnesota business,
36 technical, or vocational schools. Scholarships may also be

1 given to students attending Minnesota colleges that are in
2 candidacy status for obtaining full accreditation, and are
3 eligible for and receiving federal financial aid programs.
4 Students are also eligible for scholarships when enrolled as
5 students in Minnesota higher education institutions that have
6 joint programs with other accredited higher education
7 institutions. Scholarships shall be used to defray the total
8 cost of education including tuition, incidental fees, books,
9 supplies, transportation, other related school costs and the
10 cost of board and room and shall be paid directly to the college
11 or school concerned where the student receives federal financial
12 aid. The total cost of education includes all tuition and fees
13 for each student enrolling in a public institution and the
14 portion of tuition and fees for each student enrolling in a
15 private institution that does not exceed the tuition and fees at
16 a comparable public institution. Each student shall be awarded
17 a scholarship based on the total cost of the student's education
18 and a federal standardized need analysis. Applicants are
19 encouraged to apply for all other sources of financial aid. The
20 ~~amount-and-type-of-each-scholarship-shall-be-determined-through~~
21 ~~the-advice-and-counsel-of-the-Minnesota-Indian-education~~
22 ~~committee.~~

23 When an Indian student satisfactorily completes the work
24 required by a certain college or school in a school year the
25 student is eligible for additional scholarships, if additional
26 training is necessary to reach the student's educational and
27 vocational objective. Scholarships may not be given to any
28 Indian student for more than five years of study ~~without-special~~
29 ~~recommendation-of-the-Minnesota-Indian-Education-Committee.~~

30 Sec. 50. Minnesota Statutes 2004, section 126C.10,
31 subdivision 1, is amended to read:

32 Subdivision 1. [GENERAL EDUCATION REVENUE.] (a) For fiscal
33 year 2003, the general education revenue for each district
34 equals the sum of the district's basic revenue, basic skills
35 revenue, training and experience revenue, secondary sparsity
36 revenue, elementary sparsity revenue, transportation sparsity

1 revenue, total operating capital revenue, and equity revenue.

2 (b) For fiscal year 2004 and later, the general education
3 revenue for each district equals the sum of the district's basic
4 revenue, extended time revenue, basic skills revenue, gifted and
5 talented revenue, training and experience revenue, secondary
6 sparsity revenue, elementary sparsity revenue, transportation
7 sparsity revenue, total operating capital revenue, equity
8 revenue, and transition revenue.

9 [EFFECTIVE DATE.] This section is effective for revenue for
10 fiscal year 2006 and later.

11 Sec. 51. Minnesota Statutes 2004, section 126C.10, is
12 amended by adding a subdivision to read:

13 Subd. 2b. [GIFTED AND TALENTED REVENUE.] Gifted and
14 talented revenue for each district equals \$10 times the
15 district's adjusted marginal cost pupil units. A school
16 district must reserve gifted and talented revenue and,
17 consistent with section 120B.15, must spend the revenue only to:

18 (1) identify gifted and talented students;

19 (2) provide education programs for gifted and talented
20 students; or

21 (3) provide staff development to prepare teachers to best
22 meet the unique needs of gifted and talented students.

23 [EFFECTIVE DATE.] This section is effective for revenue for
24 fiscal year 2006 and later.

25 Sec. 52. [127A.095] [IMPLEMENTATION OF NO CHILD LEFT
26 BEHIND ACT.]

27 Subdivision 1. [CONTINUED IMPLEMENTATION.] The Department
28 of Education shall continue to implement the federal No Child
29 Left Behind Act, Public Law 107-110, without interruption until
30 June 30, 2006.

31 Subd. 2. [NO CHILD LEFT BEHIND NULLIFICATION.] (a) The
32 consolidated state plan submitted by the state to the federal
33 Department of Education on implementing the No Child Left Behind
34 Act, Public Law 107-110, and any other Minnesota state contract
35 or agreement under the provisions of the No Child Left Behind
36 Act, shall be nullified and revoked by the commissioner of

1 education on July 1, 2006.

2 (b) The commissioner shall report to the education funding
3 divisions and the education policy committees of the house of
4 representatives and the senate by April 1, 2006, whether the
5 following conditions have been met:

6 (1) the Department of Education has received approval from
7 the federal Department of Education to allow the state to
8 develop a plan using multiple measures including value-added
9 measurement of student achievement in addition to relying on
10 standardized test results to evaluate school and student
11 performance for the purpose of determining adequate yearly
12 progress;

13 (2) the Department of Education has received approval from
14 the federal Department of Education to allow the state to
15 average three years of data for the purposes of identifying a
16 school for improvement;

17 (3) the Department of Education has developed a plan and
18 model legislation to ensure that if an adequate yearly progress
19 determination was made in error, that the error will not
20 adversely affect the school's or school district's sanction
21 status in subsequent years. The Department of Education must
22 have a policy in place to correct errors to accountability
23 reports;

24 (4) the Department of Education has reported the additional
25 costs for state fiscal years 2006 to 2009 that the No Child Left
26 Behind Act imposes on the state, the state's school districts,
27 and charter schools that are in excess of costs associated with
28 the Improving America's Schools Act of 1994, Public Law 103-382;

29 (5) the Department of Education has received approval from
30 the federal Department of Education to allow the state to use No
31 Child Left Behind money to provide supplemental education
32 services only in the academic subject area that causes a school
33 to miss adequate yearly progress;

34 (6) the Department of Education has received approval from
35 the federal Department of Education to exclude from sanctions
36 schools that have not made adequate yearly progress solely due

1 to a subgroup of students with disabilities not testing at a
2 proficient level;

3 (7) the Department of Education has received approval from
4 the federal Department of Education to exclude from sanctions a
5 school that is classified as not having made adequate yearly
6 progress solely due to different subgroups testing below
7 proficient levels for at least two consecutive years;

8 (8) the Department of Education has received approval from
9 the federal Department of Education to identify a school as not
10 making adequate yearly progress only after missing the adequate
11 yearly progress targets in the same subject and subgroup for two
12 consecutive years;

13 (9) the Department of Education has received approval from
14 the federal Department of Education to identify a district as in
15 need of improvement only after missing the adequate yearly
16 progress target in the same subject across multiple grade spans
17 for two consecutive years;

18 (10) the Department of Education has received approval from
19 the federal Department of Education to limit the score of a
20 student within multiple subgroups to the one subgroup that is
21 the smallest subgroup in which that student is a part of when
22 calculating adequate yearly progress;

23 (11) the Department of Education has implemented a uniform
24 financial reporting system for school districts to report costs
25 related to implementing No Child Left Behind Act requirements,
26 including the costs of complying with sanctions;

27 (12) the Department of Education has received approval from
28 the federal Department of Education to determine the percentage
29 of the special education students that would be best educated
30 based on out-of-level standards and tested accordingly based on
31 an individual education plan; and

32 (13) the Department of Education has received approval from
33 the federal Department of Education to determine when to hold
34 schools accountable for including a student with limited English
35 proficiency in adequate yearly progress calculations.

36 (c) The state's continued implementation of the No Child

1 Left Behind Act shall be discontinued effective July 1, 2006,
2 unless the legislature passes a law during the 2006 regular
3 legislative session establishing the legislature's satisfaction
4 that the requirements under paragraph (b) have been met.

5 Subd. 3. [DEPARTMENT OF FINANCE CERTIFICATION.] If the
6 legislature does not pass a law authorizing continued
7 implementation of the No Child Left Behind Act under subdivision
8 2, paragraph (c), the commissioner of finance shall certify and
9 report to the legislature beginning January 1, 2007, and each
10 year thereafter the amount of federal revenue, if any, that has
11 been withheld by the federal government as a result of the
12 state's discontinued implementation of the No Child Left Behind
13 Act. The report shall also specify the intended purpose of the
14 federal revenue and the amount of revenue withheld from the
15 state, each school district, and each charter school in each
16 fiscal year.

17 Subd. 4. [ANNUAL CONTINGENT APPROPRIATION.] For fiscal
18 year 2007 and thereafter, an amount equal to the federal revenue
19 withheld in the same fiscal year as a result of the state's
20 discontinued implementation of the No Child Left Behind Act, as
21 certified by the commissioner of finance under subdivision 3, is
22 appropriated from the general fund to the commissioner of
23 education. The commissioner of education shall allocate the
24 appropriation under this section according to the report from
25 the commissioner of finance in subdivision 3.

26 [EFFECTIVE DATE.] This section is effective the day
27 following final enactment.

28 Sec. 53. [129C.105] [BOARD MEETINGS BY TELEPHONE OR OTHER
29 ELECTRONIC MEANS.]

30 (a) Notwithstanding section 13D.01 and if complying with
31 section 13D.02 is impractical, the board for the Perpich Center
32 for Arts Education may conduct a meeting of its members by
33 telephone or other electronic means so long as the following
34 conditions are met:

35 (1) all members of the board participating in the meeting,
36 wherever their physical location, can hear one another and all

1 discussion and testimony;

2 (2) members of the public present at the regular meeting
3 location of the board can hear all discussion and testimony and
4 all votes of members of the board;

5 (3) at least one member of the board is physically present
6 at the regular meeting location; and

7 (4) all votes are conducted by roll call, so each member's
8 vote on each issue can be identified and recorded.

9 (b) Each member of the board participating in a meeting by
10 telephone or other electronic means is considered present at the
11 meeting for purposes of determining a quorum and participating
12 in all proceedings.

13 (c) If telephone or other electronic means is used to
14 conduct a meeting, the board, to the extent practical, shall
15 allow a person to monitor the meeting electronically from a
16 remote location. The board may require the person making such a
17 connection to pay for documented marginal costs that the board
18 incurs as a result of the additional connection.

19 (d) If telephone or other electronic means is used to
20 conduct a regular, special, or emergency meeting, the board
21 shall provide notice of the regular meeting location, of the
22 fact that some members may participate by telephone or other
23 electronic means, and of the provisions of paragraph (c). The
24 timing and method of providing notice is governed by section
25 13D.04.

26 [EFFECTIVE DATE.] This section is effective the day
27 following final enactment.

28 Sec. 54. Minnesota Statutes 2004, section 179A.03,
29 subdivision 14, is amended to read:

30 Subd. 14. [PUBLIC EMPLOYEE OR EMPLOYEE.] "Public employee"
31 or "employee" means any person appointed or employed by a public
32 employer except:

33 (a) elected public officials;

34 (b) election officers;

35 (c) commissioned or enlisted personnel of the Minnesota
36 National Guard;

1 (d) emergency employees who are employed for emergency work
2 caused by natural disaster;

3 (e) part-time employees whose service does not exceed the
4 lesser of 14 hours per week or 35 percent of the normal work
5 week in the employee's appropriate unit;

6 (f) employees whose positions are basically temporary or
7 seasonal in character and: (1) are not for more than 67 working
8 days in any calendar year; or (2) are not for more than 100
9 working days in any calendar year and the employees are under
10 the age of 22, are full-time students enrolled in a nonprofit or
11 public educational institution prior to being hired by the
12 employer, and have indicated, either in an application for
13 employment or by being enrolled at an educational institution
14 for the next academic year or term, an intention to continue as
15 students during or after their temporary employment;

16 (g) employees providing services for not more than two
17 consecutive quarters to the Board of Trustees of the Minnesota
18 State Colleges and Universities under the terms of a
19 professional or technical services contract as defined in
20 section 16C.08, subdivision 1;

21 (h) employees of charitable hospitals as defined by section
22 179.35, subdivision 3;

23 (i) full-time undergraduate students employed by the school
24 which they attend under a work-study program or in connection
25 with the receipt of financial aid, irrespective of number of
26 hours of service per week;

27 (j) an individual who is employed for less than 300 hours
28 in a fiscal year as an instructor in an adult vocational
29 education program;

30 (k) an individual hired by the Board of Trustees of the
31 Minnesota State Colleges and Universities to teach one course
32 for three or fewer credits for one semester in a year;

33 (1) with respect to court employees:

34 (1) personal secretaries to judges;

35 (2) law clerks;

36 (3) managerial employees;

- 1 (4) confidential employees; and
2 (5) supervisory employees.

3 The following individuals are public employees regardless
4 of the exclusions of clauses (e) and (f):

5 (i) an employee hired by a school district or the Board of
6 Trustees of the Minnesota State Colleges and Universities except
7 at the university established in section 136F.13 or for
8 community services or community education instruction offered on
9 a noncredit basis: (A) to replace an absent teacher or faculty
10 member who is a public employee, where the replacement employee
11 is employed more than 30 working days as a replacement for that
12 teacher or faculty member; or (B) to take a teaching position
13 created due to increased enrollment, curriculum expansion,
14 courses which are a part of the curriculum whether offered
15 annually or not, or other appropriate reasons; and

16 (ii) an employee hired for a position under clause (f)(1)
17 if that same position has already been filled under clause
18 (f)(1) in the same calendar year and the cumulative number of
19 days worked in that same position by all employees exceeds 67
20 calendar days in that year. For the purpose of this paragraph,
21 "same position" includes a substantially equivalent position if
22 it is not the same position solely due to a change in the
23 classification or title of the position; and

24 (iii) an early childhood family education teacher employed
25 by a school district.

26 [EFFECTIVE DATE.] This section is effective July 1, 2005.

27 Sec. 55. Minnesota Statutes 2004, section 260C.201,
28 subdivision 1, is amended to read:

29 Subdivision 1. [DISPOSITIONS.] (a) If the court finds that
30 the child is in need of protection or services or neglected and
31 in foster care, it shall enter an order making any of the
32 following dispositions of the case:

33 (1) place the child under the protective supervision of the
34 responsible social services agency or child-placing agency in
35 the home of a parent of the child under conditions prescribed by
36 the court directed to the correction of the child's need for

1 protection or services:

2 (i) the court may order the child into the home of a parent
3 who does not otherwise have legal custody of the child, however,
4 an order under this section does not confer legal custody on
5 that parent;

6 (ii) if the court orders the child into the home of a
7 father who is not adjudicated, he must cooperate with paternity
8 establishment proceedings regarding the child in the appropriate
9 jurisdiction as one of the conditions prescribed by the court
10 for the child to continue in his home;

11 (iii) the court may order the child into the home of a
12 noncustodial parent with conditions and may also order both the
13 noncustodial and the custodial parent to comply with the
14 requirements of a case plan under subdivision 2; or

15 (2) transfer legal custody to one of the following:

16 (i) a child-placing agency; or

17 (ii) the responsible social services agency. In placing a
18 child whose custody has been transferred under this paragraph,
19 the agencies shall make an individualized determination of how
20 the placement is in the child's best interests using the
21 consideration for relatives and the best interest factors in
22 section 260C.212, subdivision 2, paragraph (b); or

23 (3) if the child has been adjudicated as a child in need of
24 protection or services because the child is in need of special
25 services or care to treat or ameliorate a physical or mental
26 disability, the court may order the child's parent, guardian, or
27 custodian to provide it. The court may order the child's health
28 plan company to provide mental health services to the child.
29 Section 62Q.535 applies to an order for mental health services
30 directed to the child's health plan company. If the health
31 plan, parent, guardian, or custodian fails or is unable to
32 provide this treatment or care, the court may order it
33 provided. Absent specific written findings by the court that
34 the child's disability is the result of abuse or neglect by the
35 child's parent or guardian, the court shall not transfer legal
36 custody of the child for the purpose of obtaining special

1 treatment or care solely because the parent is unable to provide
2 the treatment or care. If the court's order for mental health
3 treatment is based on a diagnosis made by a treatment
4 professional, the court may order that the diagnosing
5 professional not provide the treatment to the child if it finds
6 that such an order is in the child's best interests; or

7 (4) if the court believes that the child has sufficient
8 maturity and judgment and that it is in the best interests of
9 the child, the court may order a child 16 years old or older to
10 be allowed to live independently, either alone or with others as
11 approved by the court under supervision the court considers
12 appropriate, if the county board, after consultation with the
13 court, has specifically authorized this dispositional
14 alternative for a child.

15 (b) If the child was adjudicated in need of protection or
16 services because the child is a runaway or habitual truant, the
17 court may order any of the following dispositions in addition to
18 or as alternatives to the dispositions authorized under
19 paragraph (a):

20 (1) counsel the child or the child's parents, guardian, or
21 custodian;

22 (2) place the child under the supervision of a probation
23 officer or other suitable person in the child's own home under
24 conditions prescribed by the court, including reasonable rules
25 for the child's conduct and the conduct of the parents,
26 guardian, or custodian, designed for the physical, mental, and
27 moral well-being and behavior of the child; or with the consent
28 of the commissioner of corrections, place the child in a group
29 foster care facility which is under the commissioner's
30 management and supervision;

31 (3) subject to the court's supervision, transfer legal
32 custody of the child to one of the following:

33 (i) a reputable person of good moral character. No person
34 may receive custody of two or more unrelated children unless
35 licensed to operate a residential program under sections 245A.01
36 to 245A.16; or

1 (ii) a county probation officer for placement in a group
2 foster home established under the direction of the juvenile
3 court and licensed pursuant to section 241.021;

4 (4) require the child to pay a fine of up to \$100. The
5 court shall order payment of the fine in a manner that will not
6 impose undue financial hardship upon the child;

7 (5) require the child to participate in a community service
8 project;

9 (6) order the child to undergo a chemical dependency
10 evaluation and, if warranted by the evaluation, order
11 participation by the child in a drug awareness program or an
12 inpatient or outpatient chemical dependency treatment program;

13 (7) if the court believes that it is in the best interests
14 of the child and or of public safety that the child's driver's
15 license or instruction permit be canceled, the court may order
16 the commissioner of public safety to cancel the child's license
17 or permit for any period up to the child's 18th birthday. If
18 the child does not have a driver's license or permit, the court
19 may order a denial of driving privileges for any period up to
20 the child's 18th birthday. The court shall forward an order
21 issued under this clause to the commissioner, who shall cancel
22 the license or permit or deny driving privileges without a
23 hearing for the period specified by the court. At any time
24 before the expiration of the period of cancellation or denial,
25 the court may, for good cause, order the commissioner of public
26 safety to allow the child to apply for a license or permit, and
27 the commissioner shall so authorize;

28 (8) order that the child's parent or legal guardian deliver
29 the child to school at the beginning of each school day for a
30 period of time specified by the court; or

31 (9) require the child to perform any other activities or
32 participate in any other treatment programs deemed appropriate
33 by the court.

34 To the extent practicable, the court shall enter a
35 disposition order the same day it makes a finding that a child
36 is in need of protection or services or neglected and in foster

1 care, but in no event more than 15 days after the finding unless
2 the court finds that the best interests of the child will be
3 served by granting a delay. If the child was under eight years
4 of age at the time the petition was filed, the disposition order
5 must be entered within ten days of the finding and the court may
6 not grant a delay unless good cause is shown and the court finds
7 the best interests of the child will be served by the delay.

8 (c) If a child who is 14 years of age or older is
9 adjudicated in need of protection or services because the child
10 is a habitual truant and truancy procedures involving the child
11 were previously dealt with by a school attendance review board
12 or county attorney mediation program under section 260A.06 or
13 260A.07, the court shall order a cancellation or denial of
14 driving privileges under paragraph (b), clause (7), for any
15 period up to the child's 18th birthday.

16 (d) In the case of a child adjudicated in need of
17 protection or services because the child has committed domestic
18 abuse and been ordered excluded from the child's parent's home,
19 the court shall dismiss jurisdiction if the court, at any time,
20 finds the parent is able or willing to provide an alternative
21 safe living arrangement for the child, as defined in Laws 1997,
22 chapter 239, article 10, section 2.

23 (e) When a parent has complied with a case plan ordered
24 under subdivision 6 and the child is in the care of the parent,
25 the court may order the responsible social services agency to
26 monitor the parent's continued ability to maintain the child
27 safely in the home under such terms and conditions as the court
28 determines appropriate under the circumstances.

29 Sec. 56. [CONCURRENT ENROLLMENT MATHEMATICS AND SCIENCE
30 PARTNERSHIP PROGRAM.]

31 Subdivision 1. [GRANTS.] The commissioner of education
32 shall award grants to partnerships between one or more
33 postsecondary institutions and one or more school districts to
34 expand mathematics and science courses offered in the high
35 school and enhance staff development. The courses must be
36 offered at the high school under an agreement between the

1 governing board of an eligible public postsecondary system or an
2 eligible private institution and a public school board, as
3 described in Minnesota Statutes, section 124D.09, subdivision
4 10. Each partnership must include at least one postsecondary
5 institution and one school district. The grants must be awarded
6 to collaborative efforts that:

7 (1) increase the number of postsecondary-level mathematics
8 and science courses provided to high school students at the
9 student's high school; and

10 (2) develop or enhance the staff training and ongoing
11 support services provided by postsecondary faculty to high
12 school teachers teaching college in the school's agreement
13 courses in the high school.

14 Subd. 2. [ACCREDITATION.] To establish a uniform standard
15 by which courses and professional development activities may be
16 measured, postsecondary institutions applying for a grant under
17 this section are encouraged to apply for accreditation by the
18 National Alliance of Concurrent Enrollment Partnerships.

19 Subd. 3. [APPLICATION PROCESS.] The commissioner of
20 education shall develop the process by which a partnership must
21 apply for a grant. The P-16 Education Partnership shall review
22 and comment on the grant applications and make recommendations
23 to the commissioner regarding the partnerships that should be
24 funded. In selecting projects for funding, the commissioner
25 must ensure that there is a balance in the number of mathematics
26 and science courses offered as part of this initiative.

27 Subd. 4. [CRITERIA.] The application for grant money under
28 this section must include, at a minimum, the following
29 information:

30 (1) specification of the goals to be achieved through the
31 delivery of courses and faculty staff development and support
32 activities;

33 (2) a description of the courses to be offered at the high
34 schools and the initial and ongoing training and support that
35 will be provided to high school faculty teaching courses under
36 this program;

1 (3) a description of the eligibility requirements for
2 students participating in the program and the number of students
3 that will be served;

4 (4) a description of the curriculum enhancements and
5 efficiencies to be achieved in the delivery of instruction
6 through the partnership;

7 (5) a description of how the goals established for the
8 course delivery and faculty staff development and support
9 activities will be evaluated to determine if the goals of the
10 partnership were met; and

11 (6) other information as identified by the commissioner.

12 Sec. 57. [COLLEGE PREPARATION STANDARDS.]

13 (a) The Higher Education Advisory Council must convene a
14 working group to develop standards describing the skills and
15 knowledge a high school graduate must have at entry into
16 postsecondary education in order to successfully graduate from
17 college. The standards must, to the extent possible, be
18 applicable for all postsecondary education but may describe
19 differences in the skills and knowledge necessary for success in
20 different higher education institutions and programs. The
21 standards need not be comprehensive but must, at a minimum, be
22 the essential skills and knowledge that will enable a student to
23 succeed in college. The Higher Education Services Office must
24 provide staff for the working group.

25 (b) The Higher Education Advisory Council must submit the
26 standards to the commissioner of education no later than January
27 15, 2006. No later than March 15, 2006, the commissioner of
28 education must report, to the chairs of the legislative
29 committees with jurisdiction over kindergarten through grade 12
30 education policy and finance and higher education policy and
31 finance, its recommendations regarding the changes, if any, that
32 must be made in Minnesota's academic standards in order to
33 ensure that Minnesota high school graduates meet the college
34 readiness standards established by the Higher Education Advisory
35 Council.

36 (c) The Higher Education Advisory Council must invite the

1 University of Minnesota, Minnesota State Colleges and
2 Universities, representatives of private colleges, and other
3 private postsecondary institutions, to participate in the
4 working group and may invite other individuals or entities to
5 participate. The Higher Education Advisory Council and its
6 working group may collaborate with the Minnesota P-16 Education
7 Partnership in developing the college readiness standards.

8 Sec. 58. [MINNESOTA COMPREHENSIVE ASSESSMENTS; RULES.]

9 The commissioner of education shall adopt rules on or
10 before January 1, 2005, to implement the Minnesota Comprehensive
11 Assessments Second Edition (MCA-IIIs) in reading, mathematics,
12 and writing. For purposes of state and local high school
13 graduation requirements, the rules must include criteria
14 enabling school districts to:

15 (1) appropriately accommodate a student who fails but seeks
16 to pass the Minnesota Comprehensive Assessments Second Edition;
17 and

18 (2) exempt a disabled student, consistent with the
19 student's individualized education plan, or an English language
20 learner from the Minnesota Comprehensive Assessments Second
21 Edition or administer an alternative assessment either to a
22 disabled student, consistent with the student's individualized
23 education plan, or to an English language learner.

24 Sec. 59. [HEALTH AND PHYSICAL EDUCATION MODEL BENCHMARKS.]

25 By July 1, 2006, the commissioner of education must
26 transmit to school districts a model kindergarten through grade
27 12 health and physical education benchmarks developed by the
28 department's health and physical education quality teaching
29 network.

30 Sec. 60. [RULES FOR SUPPLEMENTAL SERVICE PROVIDERS.]

31 The commissioner of education must amend Minnesota Rules,
32 part 3512.5400, relating to supplemental service providers to
33 include outcome standards. The commissioner must include in the
34 amended rules criteria to remove an education service provider
35 from the listing of approved service providers if they fail to
36 meet the outcome standards.

1 Sec. 61. [EVALUATING THE EDUCATIONAL IMPACT OF FEDERAL AND
2 STATE TESTS ON KINDERGARTEN THROUGH GRADE 12 STUDENTS.]

3 (a) The Office of Educational Accountability under
4 Minnesota Statutes, section 120B.31, subdivision 3, must
5 evaluate the educational impact of the federal No Child Left
6 Behind Act and other state and federal laws requiring school
7 districts to administer tests to kindergarten through grade 12
8 students. The evaluation at least must address:

9 (1) potential educational costs to kindergarten through
10 grade 12 public school students through the 2013-2014 school
11 year of complying with testing requirements;

12 (2) educational factors that may increase or decrease the
13 educational costs identified under clause (1);

14 (3) the impact of testing requirements on the statewide
15 accountability system, teacher training and employment, and
16 curriculum development; and

17 (4) the relationship between the testing requirements,
18 postsecondary entrance requirements and the expectations of the
19 business community regarding the educational preparation of new
20 high school graduates seeking employment.

21 The Office of Educational Accountability, at its
22 discretion, may include additional areas for evaluation.

23 (b) In preparing this evaluation, the Office of Educational
24 Accountability must select a sample of school districts to
25 explore in depth the areas listed in paragraph (a). The school
26 districts must be of varying sizes and geographical locations,
27 and must include some districts with schools designated by the
28 state Department of Education as "needing improvement" under the
29 No Child Left Behind Act. The Office of Educational
30 Accountability must contact school officials, employees of
31 postsecondary institutions, and representatives of business
32 communities from throughout the state to collect information and
33 perceptions related to the evaluation. State and local entities
34 must cooperate with and assist the Office of Educational
35 Accountability with this evaluation at the request of the Office
36 of Educational Accountability.

1 (c) The Office of Educational Accountability must submit
2 the evaluation in writing to the chairs of the legislative
3 committees in the house and senate charged with oversight of
4 kindergarten through grade 12 education policy and finance by
5 February 15, 2006.

6 [EFFECTIVE DATE.] This section is effective the day
7 following final enactment.

8 Sec. 62. [MODEL POLICY; INTIMIDATION AND BULLYING.]

9 The commissioner of education shall work with the Minnesota
10 School Boards Association to develop a model policy that
11 prohibits intimidating and bullying as required in Minnesota
12 Statutes, section 121A.0695, subdivision 2.

13 Sec. 63. [LICENSED STUDENT SUPPORT SERVICES.]

14 Subdivision 1. [ACCESS TO SERVICES.] School districts and
15 the Department of Education shall work to provide for students'
16 educational achievement, to provide for student safety, and to
17 enhance student physical, emotional, and social well-being by
18 providing access to licensed student support services, such as
19 licensed school nurses, licensed school counselors, licensed
20 school social workers, *licensed alcohol & drug abuse counselors,* and licensed school psychologists.

21 Subd. 2. [FUNDING.] Districts and the department shall
22 explore opportunities for obtaining additional funds to improve
23 students' access to needed licensed student support services
24 including, but not limited to, medical assistance
25 reimbursements, local collaborative time study funds, federal
26 funds, public health funds, and specifically designated funds.

27 Subd. 3. [IMPROVING ACCESS.] Districts and the department
28 must consider nationally recommended licensed staff-to-student
29 ratios, work loads, and best practices when working to improve
30 student access to needed licensed student support services.

31 Sec. 64. [BOARD OF TEACHING REPORT.]

32 By January 16, 2006, the Board of Teaching, in consultation
33 with the Department of Education and other education
34 stakeholders, must prepare and submit to the education
35 committees of the legislature proposed licensure requirements
36 for teachers of interdisciplinary curriculum to facilitate

1 learning in state-approved innovative schools and programs.

2 Sec. 65. [APPROPRIATIONS.]

3 Subdivision 1. [DEPARTMENT OF EDUCATION.] The sums
4 indicated in this section are appropriated from the general fund
5 to the Department of Education for the fiscal years designated.

6 Subd. 2. [CONCURRENT ENROLLMENT PROGRAM AID.] For
7 concurrent enrollment program aid:

8 \$, , , , , 2006

9 \$, , , , , 2007

10 Subd. 3. [CONCURRENT ENROLLMENT MATHEMATICS AND SCIENCE
11 PARTNERSHIP.] For college in the schools mathematics and science
12 partnership program grants:

13 \$, , , , , 2006

14 \$, , , , , 2007

15 Subd. 4. [NATIONAL ALLIANCE OF CONCURRENT ENROLLMENT
16 PARTNERSHIP; UNIVERSITY OF MINNESOTA.] For transfer to the Board
17 of Regents of the University of Minnesota for institutions
18 receiving partnership grants to become provisional members of
19 the National Alliance of Concurrent Enrollment Partnership:

20 \$, , , , , 2006

21 \$, , , , , 2007

22 Subd. 5. [NATIONAL ALLIANCE OF CONCURRENT ENROLLMENT
23 PARTNERSHIP; MNSCU.] For transfer to the Board of Trustees of
24 the Minnesota State Colleges and Universities for institutions
25 receiving partnership grants to become provisional members of
26 the National Alliance of Concurrent Enrollment Partnership:

27 \$, , , , , 2006

28 \$, , , , , 2007

29 Subd. 6. [SCHOOLS MENTORING SCHOOLS REGIONAL SITES.] For
30 schools mentoring schools regional sites:

31 \$, , , , , 2006

32 \$, , , , , 2007

33 Any balance remaining in the first year does not cancel but
34 is available in the second year.

35 Subd. 7. [PRINCIPLED PRACTICES AID.] For principled pay
36 practices aid:

1 pecially designed and continuously supervised isolation room
2 that the pupil is prevented from leaving.

3 Sec. 4. Minnesota Statutes 2004, section 121A.67, is
4 amended to read:

5 121A.67 [AVERSIVE AND DEPRIVATION PROCEDURES.]

6 Subdivision 1. [RULES.] The commissioner, after
7 consultation with interested parent organizations and advocacy
8 groups, the Minnesota Administrators for Special Education, the
9 Minnesota Association of School Administrators, Education
10 Minnesota, the Minnesota School Boards Association, the
11 Minnesota Police Officers Association, a representative of a
12 bargaining unit that represents paraprofessionals, and the
13 Elementary School Principals Association and the Secondary
14 School Principals Association, must ~~adopt~~ amend rules governing
15 the use of aversive and deprivation procedures by school
16 district employees or persons under contract with a school
17 district. The rules must:

18 (1) promote the use of positive approaches behavioral
19 interventions and supports and must not encourage or require the
20 use of aversive or deprivation procedures;

21 (2) require that planned application of aversive and
22 deprivation procedures only be a-part-of-an instituted after
23 completing a functional behavior assessment and developing a
24 behavior intervention plan that is included in or maintained
25 with the individual education plan;

26 (3) require ~~parents-or-guardians-to-be-notified-after-the~~
27 ~~use-of~~ educational personnel to notify a parent or guardian of a
28 pupil with an individual education plan on the same day aversive
29 or deprivation procedures are used in an emergency or in writing
30 within two school days if district personnel are unable to
31 provide same-day notice;

32 (4) establish health and safety standards for the use of
33 locked time-out procedures that require a safe environment,
34 continuous monitoring of the child, ventilation, and adequate
35 space, a locking mechanism that disengages automatically when
36 not continuously engaged by school personnel, and full

1 compliance with state and local fire and building codes,
2 including state rules on time-out rooms; and

3 (5) contain a list of prohibited procedures;

4 (6) consolidate and clarify provisions related to behavior
5 intervention plans;

6 (7) require school districts to register with the
7 commissioner any room used for locked time-out, which the
8 commissioner must monitor by making announced and unannounced
9 on-site visits;

10 (8) place a student in locked time-out only if the
11 intervention is:

12 (i) part of the comprehensive behavior intervention plan
13 that is included in or maintained with the student's individual
14 education plan, and the plan uses positive behavioral
15 interventions and supports, and data support its continued use;
16 or

17 (ii) used in an emergency for the duration of the emergency
18 only; and

19 (9) require a providing school district or cooperative to
20 establish an oversight committee composed of at least one member
21 with training in behavioral analysis and other appropriate
22 education personnel to annually review aggregate data regarding
23 the use of aversive and deprivation procedures.

24 Subd. 2. [REMOVAL BY PEACE OFFICER.] If a pupil who has an
25 individual education plan is restrained or removed from a
26 classroom, school building, or school grounds by a peace officer
27 at the request of a school administrator or a school staff
28 person during the school day twice in a 30-day period, the
29 pupil's individual education program team must meet to determine
30 if the pupil's individual education plan is adequate or if
31 additional evaluation is needed.

32 [EFFECTIVE DATE.] Subdivision 1 of this section is
33 effective the day following final enactment.

34 Sec. 5. Minnesota Statutes 2004, section 122A.15, is
35 amended by adding a subdivision to read:

36 Subd. 3. [STUDENT SUPPORT SERVICES ADVISORY COMMITTEE;

1 DISTRICT PLAN.] (a) A student support services advisory
2 committee composed of ten members selected by the commissioner
3 is established under section 15.059. The commissioner must
4 select one committee member from each of the following
5 organizations:

- 6 (1) the Minnesota Department of Education;
- 7 (2) the Minnesota School Boards Association;
- 8 (3) the Minnesota Association of School Administrators;
- 9 (4) the Minnesota School Social Work Association;
- 10 (5) the School Nurse Organization of Minnesota;
- 11 (6) the Minnesota School Psychologists Association;
- 12 (7) the Minnesota School Counselors Association;
- 13 (8) the Minnesota Association of Resources for Recovery and
14 Chemical Health;
- 15 (9) the Minnesota Administrators for Special Education; and
- 16 (10) the Minnesota Parent Teachers Association.

17 (b) The committee must:

- 18 (1) establish a method for identifying student needs that
19 are barriers to learning;
- 20 (2) identify alternatives for integrating student support
21 services into public schools;
- 22 (3) recommend support staff to student ratios and best
23 practices for providing student support services premised on
24 evidence-based practice;
- 25 (4) identify the substance and extent of the work that
26 student support services staff are trained and licensed to
27 provide and the characteristics of the student populations they
28 serve;
- 29 (5) recommend how school districts can most appropriately
30 integrate student support services into the education program;
31 and
- 32 (6) recommend public and nonpublic revenue sources that
33 school districts can use to fund student support services
34 including, among other sources, medical assistance
35 reimbursements, private health insurance, local collaborative
36 time study funds, federal funds, public health funds, and

1 specifically designated funds such as school safety levies and
2 district general funds, among other funds.

3 (c) The committee must consider the oral and written
4 testimony of school district personnel and parents and students
5 in complying with paragraph (b). The committee must submit
6 periodic recommendations about student support services to the
7 commissioner and to the committees of the legislature having
8 jurisdiction over birth to age 21 education policy and budget
9 issues. The commissioner must consider the committee's
10 recommendations in deciding whether to develop and maintain a
11 model district plan for student support services. If the
12 commissioner develops and maintains a model plan, the
13 commissioner also must decide whether to transmit the plan to
14 school districts, whether to require the districts to adopt and
15 maintain a district plan for providing student support services
16 that meets the criteria recommended by the advisory committee,
17 and whether to require the districts to submit the plan for
18 biennial review.

19 (d) Notwithstanding section 15.059, subdivision 5, the
20 committee expires on June 30, 2016.

21 [EFFECTIVE DATE.] This section is effective the day
22 following final enactment and applies to the 2006-2007 school
23 year and later.

24 Sec. 6. [123A.10] [EDUCATION ADMINISTRATIVE DISTRICTS.]

25 Subdivision 1. [PURPOSE.] The purpose of an education
26 administrative district is to increase the efficiency of
27 administrative services for elementary and secondary education
28 by combining administrative functions for multiple school
29 districts, while maintaining independent school district control
30 of individual student attendance sites.

31 Subd. 2. [AGREEMENT TO ESTABLISH AN EDUCATION
32 ADMINISTRATIVE DISTRICT.] Boards meeting the requirements of
33 subdivision 3 may enter into a written agreement to establish an
34 education administrative district. The agreement must address
35 methods to improve the efficiency of delivering administrative
36 services. The agreement and subsequent amendments must be

1 adopted by majority vote of the full membership of each board.

2 Subd. 3. [REQUIREMENTS FOR FORMATION.] (a) An education
3 administrative district must have at least three districts at
4 the time of formation.

5 (b) Prior to entering into an agreement, each individual
6 school district must submit the proposed agreement to the
7 exclusive representatives of the employees impacted by the
8 agreement in their school district. The exclusive
9 representative must sign off on the proposed agreement before it
10 is submitted to the commissioner for review to ensure the rights
11 of the bargaining unit members. Two or more employee
12 organizations that represent the employees in a unit may
13 petition jointly under this subdivision provided that any
14 organization may withdraw from joint certification in favor of
15 the remaining organizations on 30 days' notice to the remaining
16 organizations, the employer, and the commissioner without
17 affecting the rights and obligations of the remaining
18 organizations. The terms and conditions of collective
19 bargaining agreements covering school employee bargaining units
20 remain in effect until a successor agreement becomes effective.

21 (c) If a proposed agreement results in contracting out of
22 public services previously provided by district employees,
23 school district employees shall have the right of first refusal
24 for equivalent positions and shall maintain equivalent wages,
25 benefits, and hours of employment.

26 Subd. 4. [COMMISSIONER REVIEW AND COMMENT.] Before
27 entering into an agreement, the school boards of the proposed
28 member districts must jointly submit the proposed agreement with
29 exclusive representative agreement to the commissioner for
30 review and comment. The commissioner shall submit a review and
31 comment on the educational and economic advisability of the
32 proposed agreement to the school boards within 60 days of
33 receiving the proposal. If the commissioner submits a negative
34 review and comment, the districts do not qualify for levy
35 authority according to section 123A.12, subdivision 5.

36 Subd. 5. [NOTICE AND PUBLIC HEARING ON PROPOSED

1 AGREEMENT.] Before entering into an agreement, the board of each
2 member district must publish the commissioner's review and
3 comment and a summary of the proposed agreement and its effect
4 upon the district at least once in a newspaper of general
5 circulation in the district. The board must conduct a public
6 hearing on the proposed agreement after the publication of the
7 notice and before entering into an agreement.

8 Sec. 7. [123A.11] [EDUCATION ADMINISTRATIVE DISTRICT
9 BOARD.]

10 Subdivision 1. [SCHOOL DISTRICT REPRESENTATION.] The
11 education administrative district board shall be composed of at
12 least one representative appointed by the school board of each
13 member district. Each representative must be a member of the
14 appointing school board. Each representative shall serve at the
15 pleasure of the appointing board and may be recalled by a
16 majority vote of the appointing board. Each representative
17 shall serve for the term that is specified in the agreement.
18 The board shall select its officers from among its members and
19 shall determine the terms of the officers. The board shall
20 adopt bylaws for the conduct of its business. The board may
21 conduct public meetings via interactive television if the board
22 complies with chapter 13D in each location where board members
23 are present.

24 Subd. 2. [PROVISION OF ADMINISTRATIVE SERVICES.] An
25 education administrative district board shall implement the
26 agreement for delivering administrative services, defined in
27 section 123A.12, needed in the education administrative district.

28 Subd. 3. [PERSONNEL.] The board may employ personnel as
29 necessary to provide administrative services for the education
30 administrative district. Education administrative district
31 staff shall participate in retirement programs. Notwithstanding
32 section 123B.143, subdivision 1, a member district of an
33 education administrative district must contract with the
34 education administrative district to obtain the services of a
35 superintendent. The person to provide the services need not be
36 employed by the education administrative district or a member

1 district at the time the contract is entered into.

2 Subd. 4. [CONTRACTS.] The board may enter into contracts
3 with districts and other public and private agencies to provide
4 administrative services needed in the education administrative
5 district.

6 Subd. 5. [GENERAL LAW.] The board shall be governed,
7 unless specifically provided otherwise, by section 471.59.

8 Subd. 6. [ANNUAL REPORT.] After each of its first five
9 years of operation, the board shall submit an annual report to
10 the member districts and the commissioner regarding the
11 activities of the education administrative district, including
12 analysis of the impact of the arrangement on administrative
13 costs and efficiency.

14 Sec. 8. [123A.12] [EDUCATION ADMINISTRATIVE DISTRICT
15 AGREEMENT.]

16 Subdivision 1. [IMPLEMENTATION; REVIEW.] An education
17 administrative district board shall implement the agreement for
18 provision of administrative services to the member school
19 districts adopted by the member districts according to section
20 123A.10, subdivision 2. The education administrative district
21 board shall review the agreement annually and propose necessary
22 amendments to the member districts.

23 Subd. 2. [ADMINISTRATIVE SERVICES.] (a) The agreement may
24 provide for the selection of one superintendent for the
25 administrative district at a specified time, according to
26 section 123B.143, subdivision 1, by the administrative district
27 board.

28 (b) The agreement must specify which other noninstructional
29 services are to be provided by the education administrative
30 district. These services may include, but are not limited to,
31 business management, human resources, payroll, food service,
32 buildings and grounds maintenance, pupil transportation,
33 technology coordination, curriculum coordination, community
34 education, nursing services, student records, district policy,
35 student administrative services, and school building
36 administration.

1 Subd. 3. [TIMING AND DURATION.] (a) The initial agreement
2 must specify a time schedule for implementation.

3 (b) The initial agreement must be for a period of at least
4 three years. After completing the first two years, the
5 agreement may be extended by majority vote of the full
6 membership of each board.

7 Subd. 4. [FINANCES.] The initial agreement must:

8 (1) include a three-year budget projection comparing
9 existing administrative services and their costs with the
10 proposed services and their costs for each year;

11 (2) specify what retirement and severance incentives may be
12 offered to licensed and nonlicensed staff, and how these costs
13 will be apportioned among the member districts. The incentives
14 must conform with section 123A.48, subdivision 23;

15 (3) specify any other start-up costs for the education
16 administrative district and how these costs will be apportioned
17 among the member districts;

18 (4) specify the estimated amounts that each member district
19 will levy under subdivision 5 for the costs specified in clauses
20 (2) and (3); and

21 (5) specify an equitable distribution formula for the
22 education administrative district board to assess and certify to
23 each member school district its proportionate share of
24 expenses. Each member district must remit its assessment to the
25 education administrative district board within 30 days after
26 receipt.

27 Subd. 5. [LEVY.] A school district that is a member of an
28 education administrative district may levy an amount equal to
29 the district's share of costs approved by the commissioner for
30 retirement and severance incentives and other start-up costs
31 included in the initial agreement under subdivision 4, clauses
32 (2) and (3), over a period of time not to exceed three years.

33 Subd. 6. [REPORTS TO DEPARTMENT OF EDUCATION.] Member
34 districts may submit joint reports and jointly provide
35 information required by the department. The joint reports must
36 allow information, including expenditures for the education

1 administrative district, to be attributed to each member
2 district.

3 Subd. 7. [ADDITION AND WITHDRAWAL OF DISTRICTS.] (a) Upon
4 approval by majority vote of a district school board and of the
5 education administrative district board, an adjoining district
6 may become a member of the education administrative district and
7 be governed by the provisions of this section and the agreement
8 in effect. A new member added to an existing education
9 administrative district may levy for approved costs of
10 retirement and severance incentives according to subdivision 5.

11 (b) After its first three years of membership, a district
12 may withdraw from the education administrative district and from
13 the agreement in effect by a majority vote of the full board
14 membership of the member district desiring withdrawal and upon
15 compliance with provisions in the agreement establishing the
16 education administrative district. The withdrawal shall become
17 effective at the end of the next following fiscal year.

18 Subd. 8. [DISSOLUTION.] After the first three years of the
19 education administrative district, the boards of each member
20 district may agree to dissolve the education administrative
21 district effective at the end of any fiscal year or at an
22 earlier time as they may mutually agree. A dissolution must be
23 accomplished in accordance with any applicable provisions of the
24 agreement establishing the education administrative district.
25 The dissolution must not affect the continuing liability of the
26 previous member districts for continuing obligations, including
27 unemployment benefits.

28 Sec. 9. Minnesota Statutes 2004, section 123A.24,
29 subdivision 2, is amended to read:

30 Subd. 2. [COOPERATIVE UNIT DEFINED.] For the purposes of
31 this section, a cooperative unit is:

32 (1) an education district organized under sections 123A.15
33 to 123A.19;

34 (2) a cooperative vocational center organized under section
35 123A.22;

36 (3) an intermediate district organized under chapter 136D;

1 (4) an education administrative district organized under
2 sections 123A.10 to 123A.12;

3 (5) a service cooperative organized under section 123A.21;
4 or

5 ~~(5)~~ (6) a regional management information center organized
6 under section 123A.23 or as a joint powers district according to
7 section 471.59.

8 Sec. 10. Minnesota Statutes 2004, section 123B.92,
9 subdivision 1, is amended to read:

10 Subdivision 1. [DEFINITIONS.] For purposes of this section
11 and section 125A.76, the terms defined in this subdivision have
12 the meanings given to them.

13 (a) "Actual expenditure per pupil transported in the
14 regular and excess transportation categories" means the quotient
15 obtained by dividing:

16 (1) the sum of:

17 (i) all expenditures for transportation in the regular
18 category, as defined in paragraph (b), clause (1), and the
19 excess category, as defined in paragraph (b), clause (2), plus

20 (ii) an amount equal to one year's depreciation on the
21 district's school bus fleet and mobile units computed on a
22 straight line basis at the rate of 15 percent per year for
23 districts operating a program under section 124D.128 for grades
24 1 to 12 for all students in the district and 12-1/2 percent per
25 year for other districts of the cost of the fleet, plus

26 (iii) an amount equal to one year's depreciation on the
27 district's type three school buses, as defined in section
28 169.01, subdivision 6, clause (5), which must be used a majority
29 of the time for pupil transportation purposes, computed on a
30 straight line basis at the rate of 20 percent per year of the
31 cost of the type three school buses by:

32 (2) the number of pupils eligible for transportation in the
33 regular category, as defined in paragraph (b), clause (1), and
34 the excess category, as defined in paragraph (b), clause (2).

35 (b) "Transportation category" means a category of
36 transportation service provided to pupils as follows:

1 (1) Regular transportation is:

2 (i) transportation to and from school during the regular
3 school year for resident elementary pupils residing one mile or
4 more from the public or nonpublic school they attend, and
5 resident secondary pupils residing two miles or more from the
6 public or nonpublic school they attend, excluding desegregation
7 transportation and noon kindergarten transportation; but with
8 respect to transportation of pupils to and from nonpublic
9 schools, only to the extent permitted by sections 123B.84 to
10 123B.87;

11 (ii) transportation of resident pupils to and from language
12 immersion programs;

13 (iii) transportation of a pupil who is a custodial parent
14 and that pupil's child between the pupil's home and the child
15 care provider and between the provider and the school, if the
16 home and provider are within the attendance area of the school;

17 (iv) transportation to and from or board and lodging in
18 another district, of resident pupils of a district without a
19 secondary school; and

20 (v) transportation to and from school during the regular
21 school year required under subdivision 3 for nonresident
22 elementary pupils when the distance from the attendance area
23 border to the public school is one mile or more, and for
24 nonresident secondary pupils when the distance from the
25 attendance area border to the public school is two miles or
26 more, excluding desegregation transportation and noon
27 kindergarten transportation.

28 For the purposes of this paragraph, a district may
29 designate a licensed day care facility, respite care facility,
30 the residence of a relative, or the residence of a person chosen
31 by the pupil's parent or guardian as the home of a pupil for
32 part or all of the day, if requested by the pupil's parent or
33 guardian, and if that facility or residence is within the
34 attendance area of the school the pupil attends.

35 (2) Excess transportation is:

36 (i) transportation to and from school during the regular

1 school year for resident secondary pupils residing at least one
2 mile but less than two miles from the public or nonpublic school
3 they attend, and transportation to and from school for resident
4 pupils residing less than one mile from school who are
5 transported because of extraordinary traffic, drug, or crime
6 hazards; and

7 (ii) transportation to and from school during the regular
8 school year required under subdivision 3 for nonresident
9 secondary pupils when the distance from the attendance area
10 border to the school is at least one mile but less than two
11 miles from the public school they attend, and for nonresident
12 pupils when the distance from the attendance area border to the
13 school is less than one mile from the school and who are
14 transported because of extraordinary traffic, drug, or crime
15 hazards.

16 (3) Desegregation transportation is transportation within
17 and outside of the district during the regular school year of
18 pupils to and from schools located outside their normal
19 attendance areas under a plan for desegregation mandated by the
20 commissioner or under court order.

21 (4) "Transportation services for pupils with disabilities"
22 is:

23 (i) transportation of pupils with disabilities who cannot
24 be transported on a regular school bus between home or a respite
25 care facility and school;

26 (ii) necessary transportation of pupils with disabilities
27 from home or from school to other buildings, including centers
28 such as developmental achievement centers, hospitals, and
29 treatment centers where special instruction or services required
30 by sections 125A.03 to 125A.24, 125A.26 to 125A.48, and 125A.65
31 are provided, within or outside the district where services are
32 provided;

33 (iii) necessary transportation for resident pupils with
34 disabilities required by sections 125A.12, and 125A.26 to
35 125A.48;

36 (iv) board and lodging for pupils with disabilities in a

1 district maintaining special classes;

2 (v) transportation from one educational facility to another
3 within the district for resident pupils enrolled on a
4 shared-time basis in educational programs, and necessary
5 transportation required by sections 125A.18, and 125A.26 to
6 125A.48, for resident pupils with disabilities who are provided
7 special instruction and services on a shared-time basis or if
8 resident pupils are not transported, the costs of necessary
9 travel between public and private schools or neutral
10 instructional sites by essential personnel employed by the
11 district's program for children with a disability;

12 (vi) transportation for resident pupils with disabilities
13 to and from board and lodging facilities when the pupil is
14 boarded and lodged for educational purposes; and

15 (vii) services described in clauses (i) to (vi), when
16 provided for pupils with disabilities in conjunction with a
17 summer instructional program that relates to the pupil's
18 individual education plan or in conjunction with a learning year
19 program established under section 124D.128.

20 For purposes of computing special education base revenue
21 under section 125A.76, subdivision 2, the cost of providing
22 transportation for children with disabilities includes (A) the
23 additional cost of transporting a homeless student from a
24 temporary nonshelter home in another district to the school of
25 origin, or a formerly homeless student from a permanent home in
26 another district to the school of origin but only through the
27 end of the academic year; and (B) depreciation on district-owned
28 school buses purchased after July 1, 2005, and used primarily
29 for transportation of pupils with disabilities, calculated
30 according to paragraph (a), clauses (ii) and (iii).
31 Depreciation costs included in the disabled transportation
32 category must be excluded in calculating the actual expenditure
33 per pupil transported in the regular and excess transportation
34 categories according to paragraph (a).

35 (5) "Nonpublic nonregular transportation" is:

36 (i) transportation from one educational facility to another

1 within the district for resident pupils enrolled on a
2 shared-time basis in educational programs, excluding
3 transportation for nonpublic pupils with disabilities under
4 clause (4);

5 (ii) transportation within district boundaries between a
6 nonpublic school and a public school or a neutral site for
7 nonpublic school pupils who are provided pupil support services
8 pursuant to section 123B.44; and

9 (iii) late transportation home from school or between
10 schools within a district for nonpublic school pupils involved
11 in after-school activities.

12 (c) "Mobile unit" means a vehicle or trailer designed to
13 provide facilities for educational programs and services,
14 including diagnostic testing, guidance and counseling services,
15 and health services. A mobile unit located off nonpublic school
16 premises is a neutral site as defined in section 123B.41,
17 subdivision 13.

18 Sec. 11. [124D.4531] [CAREER AND TECHNICAL LEVY.]

19 Subdivision 1. [CAREER AND TECHNICAL LEVY.] (a) A district
20 with a career and technical program approved under this section
21 for the fiscal year in which the levy is certified may levy an
22 amount equal to the lesser of:

23 (1) \$80 times the district's average daily membership in
24 grades 10 through 12 for the fiscal year in which the levy is
25 certified; or

26 (2) 25 percent of approved expenditures in the fiscal year
27 in which the levy is certified for the following:

28 (i) salaries paid to essential, licensed personnel
29 providing direct instructional services to students in that
30 fiscal year for services rendered in the district's approved
31 career and technical education programs;

32 (ii) contracted services provided by a public or private
33 agency other than a Minnesota school district or cooperative
34 center under subdivision 7;

35 (iii) necessary travel between instructional sites by
36 licensed career and technical education personnel;

1 (iv) necessary travel by licensed career and technical
2 education personnel for vocational student organization
3 activities held within the state for instructional purposes;

4 (v) curriculum development activities that are part of a
5 five-year plan for improvement based on program assessment;

6 (vi) necessary travel by licensed career and technical
7 education personnel for noncollegiate credit-bearing
8 professional development; and

9 (vii) specialized vocational instructional supplies.

10 (b) Up to ten percent of a district's career and technical
11 levy may be spent on equipment purchases. Districts using the
12 career and technical levy for equipment purchases must report to
13 the department on the improved learning opportunities for
14 students that result from the investment in equipment.

15 (c) The district must recognize the full amount of this
16 levy as revenue for the fiscal year in which it is certified.

17 Subd. 2. [ALLOCATION FROM COOPERATIVE CENTERS AND
18 INTERMEDIATE DISTRICTS.] For purposes of this section, a
19 cooperative center or an intermediate district must allocate its
20 approved expenditures for career and technical education
21 programs among participating districts.

22 Subd. 3. [LEVY GUARANTEE.] Notwithstanding subdivision 1,
23 the career and technical education levy for a district is not
24 less than the lesser of:

25 (1) the district's career and technical education levy
26 authority for the previous fiscal year; or

27 (2) 100 percent of the approved expenditures for career and
28 technical programs included in subdivision 1, paragraph (b), for
29 the fiscal year in which the levy is certified.

30 Subd. 4. [DISTRICT REPORTS.] Each district or cooperative
31 center must report data to the department for all career and
32 technical education programs as required by the department to
33 implement the career and technical levy formula.

34 [EFFECTIVE DATE.] This section is effective for taxes
35 payable in 2008.

36 Sec. 12. Minnesota Statutes 2004, section 125A.05, is

1 amended to read:

2 125A.05 [METHOD OF SPECIAL INSTRUCTION.]

3 (a) As defined in this section, to the extent required by
4 federal law as of July 1, 1999, special instruction and services
5 for children with a disability must be based on the assessment
6 and individual education plan. The instruction and services may
7 be provided by one or more of the following methods:

8 (1) in connection with attending regular elementary and
9 secondary school classes;

10 (2) establishment of special classes;

11 (3) at the home or bedside of the child;

12 (4) in other districts;

13 (5) instruction and services by special education

14 cooperative centers established under this section, or in

15 another member district of the cooperative center to which the
16 resident district of the child with a disability belongs;

17 (6) in a state residential school or a school department of
18 a state institution approved by the commissioner;

19 (7) in other states;

20 (8) by contracting with public, private or voluntary
21 agencies;

22 (9) for children under age five and their families,
23 programs and services established through collaborative efforts
24 with other agencies;

25 (10) for children under age five and their families,
26 programs in which children with a disability are served with
27 children without a disability; and

28 (11) any other method approved by the commissioner.

29 (b) Preference shall be given to providing special
30 instruction and services to children under age three and their
31 families in the residence of the child with the parent or
32 primary caregiver, or both, present.

33 (c) The primary responsibility for the education of a child
34 with a disability must remain with the district of the child's
35 residence regardless of which method of providing special
36 instruction and services is used. If a district other than a

1 child's district of residence provides special instruction and
2 services to the child, then the district providing the special
3 instruction and services must notify and invite the child's
4 district of residence before the child's individual education
5 plan is developed and must provide the district of residence an
6 opportunity to participate in the plan's development. The
7 district providing the special instruction and services may not
8 bill special education tuition costs to the resident district
9 unless the resident district has participated or has declined to
10 participate in the development of the student's individual
11 education plan. The district of residence must inform the
12 parents of the child about the methods of instruction that are
13 available.

14 Sec. 13. Minnesota Statutes 2004, section 125A.24, is
15 amended to read:

16 125A.24 [PARENT ADVISORY COUNCILS.]

17 In order to increase the involvement of parents of children
18 with disabilities in district policy making and decision making,
19 school districts must have a special education advisory council
20 that is incorporated into the district's special education
21 system plan.

22 (1) This advisory council may be established either for
23 individual districts or in cooperation with other districts who
24 are members of the same special education cooperative.

25 (2) A district may set up this council as a subgroup of an
26 existing board, council, or committee.

27 (3) At least half of the designated council members must be
28 parents of students with a disability. The council must include
29 at least one member who is a parent of a nonpublic school
30 student with a disability or an employee of a nonpublic school
31 if a nonpublic school is located in the district. Each local
32 council must meet no less than once each year. The number of
33 members, frequency of meetings, and operational procedures are
34 to be locally determined.

35 Sec. 14. Minnesota Statutes 2004, section 125A.28, is
36 amended to read:

1 125A.28 [STATE INTERAGENCY COORDINATING COUNCIL.]

2 An Interagency Coordinating Council of at least 17, but not
3 more than 25 members is established, in compliance with Public
4 Law 102-119, section 682. The members must be appointed by the
5 governor. Council members must elect the council chair. The
6 representative of the commissioner may not serve as the chair.
7 The council must be composed of at least five parents, including
8 persons of color, of children with disabilities under age 12,
9 including at least three parents of a child with a disability
10 under age seven, five representatives of public or private
11 providers of services for children with disabilities under age
12 five, including a special education director, county social
13 service director, local Head Start director, and a community
14 health services or public health nursing administrator, one
15 member of the senate, one member of the house of
16 representatives, one representative of teacher preparation
17 programs in early childhood-special education or other
18 preparation programs in early childhood intervention, at least
19 one representative of advocacy organizations for children with
20 disabilities under age five, one physician who cares for young
21 children with special health care needs, one representative each
22 from the commissioners of commerce, education, health, human
23 services, a representative from the state agency responsible for
24 child care, and a representative from Indian health services or
25 a tribal council. Section 15.059, subdivisions 2 to 5, apply to
26 the council. The council must meet at least quarterly.

27 The council must address methods of implementing the state
28 policy of developing and implementing comprehensive,
29 coordinated, multidisciplinary interagency programs of early
30 intervention services for children with disabilities and their
31 families.

32 The duties of the council include recommending policies to
33 ensure a comprehensive and coordinated system of all state and
34 local agency services for children under age five with
35 disabilities and their families. The policies must address how
36 to incorporate each agency's services into a unified state and

1 local system of multidisciplinary assessment practices,
 2 individual intervention plans, comprehensive systems to find
 3 children in need of services, methods to improve public
 4 awareness, and assistance in determining the role of interagency
 5 early intervention committees.

6 ~~By-September-1~~ On the date that Minnesota Part C Annual
 7 Performance Report is submitted to the federal Office of Special
 8 Education, the council must recommend to the governor and the
 9 commissioners of education, health, human services, commerce,
 10 and employment and economic development policies for a
 11 comprehensive and coordinated system.

12 Notwithstanding any other law to the contrary, the State
 13 Interagency Coordinating Council expires on June 30, 2005 2009.

14 Sec. 15. Minnesota Statutes 2004, section 125A.51, is
 15 amended to read:

16 125A.51 [PLACEMENT OF CHILDREN WITHOUT DISABILITIES;
 17 EDUCATION AND TRANSPORTATION.]

18 The responsibility for providing instruction and
 19 transportation for a pupil without a disability who has a
 20 short-term or temporary physical or emotional illness or
 21 disability, as determined by the standards of the commissioner,
 22 and who is temporarily placed for care and treatment for that
 23 illness or disability, must be determined as provided in this
 24 section.

25 (a) The school district of residence of the pupil is the
 26 district in which the pupil's parent or guardian resides.

27 (b) When parental rights have been terminated by court
 28 order, the legal residence of a child placed in a residential or
 29 foster facility for care and treatment is the district in which
 30 the child resides.

31 (c) Before the placement of a pupil for care and treatment,
 32 the district of residence must be notified and provided an
 33 opportunity to participate in the placement decision. When an
 34 immediate emergency placement is necessary and time does not
 35 permit resident district participation in the placement
 36 decision, the district in which the pupil is temporarily placed,

1 if different from the district of residence, must notify the
2 district of residence of the emergency placement within 15 days
3 of the placement.

4 (d) When a pupil without a disability is temporarily placed
5 for care and treatment in a day program and the pupil continues
6 to live within the district of residence during the care and
7 treatment, the district of residence must provide instruction
8 and necessary transportation to and from the treatment facility
9 for the pupil. Transportation shall only be provided by the
10 district during regular operating hours of the district. The
11 district may provide the instruction at a school within the
12 district of residence, at the pupil's residence, or in the case
13 of a placement outside of the resident district, in the district
14 in which the day treatment program is located by paying tuition
15 to that district. The district of placement may contract with a
16 facility to provide instruction by teachers licensed by the
17 state Board of Teaching.

18 (e) When a pupil without a disability is temporarily placed
19 in a residential program for care and treatment, the district in
20 which the pupil is placed must provide instruction for the pupil
21 and necessary transportation while the pupil is receiving
22 instruction, and in the case of a placement outside of the
23 district of residence, the nonresident district must bill the
24 district of residence for the actual cost of providing the
25 instruction for the regular school year and for summer school,
26 excluding transportation costs.

27 (f) Notwithstanding paragraph (e), if the pupil is homeless
28 and placed in a public or private homeless shelter, then the
29 district that enrolls the pupil under section 127A.47,
30 subdivision 2, shall provide the transportation, unless the
31 district that enrolls the pupil and the district in which the
32 pupil is temporarily placed agree that the district in which the
33 pupil is temporarily placed shall provide transportation. When
34 a pupil without a disability is temporarily placed in a
35 residential program outside the district of residence, the
36 administrator of the court placing the pupil must send timely

1 written notice of the placement to the district of residence.
 2 The district of placement may contract with a residential
 3 facility to provide instruction by teachers licensed by the
 4 state Board of Teaching. For purposes of this section, the state
 5 correctional facilities operated on a fee-for-service basis are
 6 considered to be residential programs for care and treatment.

7 ~~(f)~~ (g) The district of residence must include the pupil in
 8 its residence count of pupil units and pay tuition as provided
 9 in section 123A.488 to the district providing the instruction.
 10 Transportation costs must be paid by the district providing the
 11 transportation and the state must pay transportation aid to that
 12 district. For purposes of computing state transportation aid,
 13 pupils governed by this subdivision must be included in the
 14 disabled transportation category if the pupils cannot be
 15 transported on a regular school bus route without special
 16 accommodations.

17 Sec. 16. Minnesota Statutes 2004, section 126C.457, is
 18 amended to read:

19 126C.457 [CAREER AND TECHNICAL LEVY.]

20 For taxes payable in 2006 and 2007, a school district may
 21 levy an amount equal to the greater of (1) \$10,000, or (2) the
 22 district's fiscal year 2001 entitlement for career and technical
 23 aid under Minnesota Statutes 2000, section 124D.453. The
 24 district must recognize the full amount of this levy as revenue
 25 for the fiscal year in which it is certified. Revenue received
 26 under this section must be reserved and used only for career and
 27 technical programs.

28 Sec. 17. [127A.21] [STATE COORDINATOR FOR WORLD
 29 LANGUAGES.]

30 (a) The commissioner of education shall designate a
 31 full-time state coordinator for world languages education within
 32 the Department of Education by July 1, 2005. The commissioner
 33 shall seek input from the Quality Teaching Network before
 34 designating or hiring the coordinator who must have classroom
 35 experience teaching world languages. The coordinator, at a
 36 minimum, shall:

1 (1) survey school districts in the state to:

2 (i) identify the types of existing world language programs
3 and exemplary model extended world languages programs; and

4 (ii) in consultation with Minnesota postsecondary
5 institutions, identify and address staff development needs of
6 current world language teachers and preservice teachers;

7 (2) identify successful extended world language programs
8 from other states;

9 (3) award grants for model extended world languages
10 programs;

11 (4) establish guidelines for a variety of model extended
12 world languages programs;

13 (5) research and recommend the funding necessary to
14 implement various models of extended world languages programs in
15 different languages; and

16 (6) support and monitor, using the most recent information
17 available, current world language programs.

18 (b) For the purposes of this section, "extended world
19 languages program" means a world languages program with a
20 sequence of consecutive years in any of kindergarten through
21 grade 12, including for example sequences of kindergarten
22 through grade 12, grades 5 through 12, and grades 7 through 12.

23 Sec. 18. Minnesota Statutes 2004, section 134.31, is
24 amended by adding a subdivision to read:

25 Subd. 5a. [ADVISORY COMMITTEE.] The commissioner shall
26 appoint an advisory committee of five members to advise the
27 staff of the Minnesota Library for the Blind and Physically
28 Handicapped on long-range plans and library services. Members
29 shall be people who use the library. Section 15.059 governs
30 this committee except that the committee shall not expire.

31 Sec. 19. [EMINENCE CREDENTIALING.]

32 Subdivision 1. [GOAL.] It is the goal of the state to
33 support the teaching and revitalization of the Dakota and
34 Anishinaabe languages, which are contingent to the geographical
35 area included in the state of Minnesota. The Native Language
36 Eminence Credentialing Task Force is created to achieve this

1 goal.

2 Subd. 2. [MEMBERSHIP.] The Native Language Eminence
3 Credentialing Task Force consists of the following members:

4 (1) four members representing public schools with large
5 Native American populations appointed by the commissioner of
6 education;

7 (2) one member appointed by each federally recognized
8 Indian tribe in the state;

9 (3) one member appointed by each institution of higher
10 education that trains credentialed Dakota and Anishinaabe
11 language teachers;

12 (4) one member representing the Minnesota Historical
13 Society;

14 (5) the chair of the state Indian Affairs Council; and

15 (6) three native speakers of the Anishinaabe language and
16 three native speakers of the Dakota language, all appointed by
17 the Dakota Ojibwe Language Revitalization Alliance.

18 Subd. 3. [ADMINISTRATION.] (a) The Native Language
19 Eminence Credentialing Task Force is governed by Minnesota
20 Statutes, section 15.059.

21 (b) The task force shall elect a chair from its
22 membership. The commissioner of education shall provide staff
23 and administrative support for the task force.

24 Subd. 4. [DUTIES.] The task force shall review and
25 recommend changes to the eminence credentials for teachers of
26 the Dakota and Anishinaabe languages in order to increase the
27 number of fluent "first speakers" who can teach the language and
28 the number of teachers of the Dakota and Anishinaabe languages
29 by considering and addressing the following:

30 (1) whether a rating system should be developed that
31 includes separate ratings for fluency of the spoken language,
32 writing and reading skills in language, and specifying which
33 dialect of the Anishinaabe and Dakota languages is being spoken;

34 (2) whether a strategy for determining the level of fluency
35 should be developed;

36 (3) consistency of evaluation of language fluency;

1 (4) identifying issues between tribal authority and state
2 law around strategies of language revitalization; and

3 (5) a strategy to provide affordable and accessible
4 language and culture credentials throughout Minnesota.

5 Subd. 5. [REPORT.] The task force shall submit a report to
6 the legislature by January 15, 2006, to fulfill the duties of
7 the task force.

8 Subd. 6. [EXPIRATION.] The task force expires upon
9 submission of the report on January 15, 2006.

10 Sec. 20. [MODEL EXTENDED WORLD LANGUAGE PROGRAM GRANTS.]

11 (a) The commissioner of education shall award six
12 three-year grants to school districts and charter schools to
13 develop model extended world languages programs including at
14 least model plans for implementing world languages to close the
15 achievement gap between groups of students. The commissioner
16 shall award grants only for the 2006-2007 through 2008-2009
17 school years. The commissioner should award grants for a
18 variety of language programs, if possible.

19 (b) The commissioner shall award grants to four school
20 districts or charter schools in the seven-county metropolitan,
21 Rochester, and Duluth areas, including two urban and two
22 suburban school districts or charter schools, and two school
23 districts or charter schools outside the seven-county
24 metropolitan, Rochester, and Duluth areas, to:

25 (1) develop a model extended world languages program; or

26 (2) extend an existing world language program to a model
27 extended program.

28 (c) A school district and charter school shall apply for a
29 grant in a form and manner prescribed by the commissioner. A
30 school district and charter school must use the grant money to
31 develop and implement or to extend existing world languages
32 programs according to the terms of the grant application and the
33 criteria under paragraph (a).

34 (d) For the purposes of this section, "extended world
35 languages program" means a world languages program with a
36 sequence of consecutive years in any of kindergarten through

1 grade 12, including for example sequences of kindergarten
2 through grade 12, grades 5 through 12, and grades 7 through 12.

3 Sec. 21. [TASK FORCE ON DELIVERY OF SPECIAL EDUCATION TO
4 NONPUBLIC SCHOOL STUDENTS BY PUBLIC SCHOOL DISTRICTS.]

5 Subdivision 1. [PURPOSE; ESTABLISHMENT.] With the
6 congressional reauthorization of the federal Individuals with
7 Disabilities Education Act, a task force on the delivery of
8 special education services to nonpublic school students by
9 public school districts shall be established to compare and
10 evaluate how the individual needs of each child are being met,
11 if services are provided in the least restrictive environment,
12 and whether best practices and program efficiencies are being
13 used in the specific areas of transportation, location of
14 services, and shared time aid.

15 Subd. 2. [MEMBERS.] The governor shall appoint the members
16 of the task force from each of the following:

17 (1) two members from the Department of Education, one
18 representing special education programs and policy and one
19 representing district finances;

20 (2) two special education teachers with one member from a
21 public school and one member from a nonpublic school;

22 (3) two special education administrators with one member
23 from a public school and one member from a nonpublic school;

24 (4) two members with one from each of two special education
25 advocacy organizations;

26 (5) two parents of children receiving special education
27 services with one member from a public school and one member
28 from a nonpublic school;

29 (6) two elementary school principals with one member from a
30 public school and one member from a nonpublic school;

31 (7) two superintendents with one member from a public
32 school district and one member from a nonpublic school district;

33 (8) two school business officials with one from a public
34 school and one from a nonpublic school; and

35 (9) two school board officials with one from a public
36 school and one from a nonpublic school.

1 The task force may select additional members to work on the
2 task force. The commissioner of education shall provide
3 necessary materials and assistance.

4 Subd. 3. [REPORT.] The task force shall submit a report by
5 January 15, 2006, to the house of representatives and senate
6 committees having jurisdiction over education on the delivery of
7 special education services to nonpublic school students by
8 public school districts, to compare and evaluate how the
9 individual needs of each child are being met in the least
10 restrictive environment, and whether best practices and program
11 efficiencies are being used.

12 Subd. 4. [EXPIRATION.] This section expires January 31,
13 2006.

14 [EFFECTIVE DATE.] This section is effective the day
15 following final enactment.

16 Sec. 22. [APPROPRIATION.]

17 Subdivision 1. [DEPARTMENT OF EDUCATION.] The sums
18 indicated in this section are appropriated from the general fund
19 to the Department of Education for the fiscal years designated.

20 Subd. 2. [WORLD LANGUAGES.] For grants for model extended
21 world languages programs:

22	<u>\$. , . . . ,</u>	<u>.</u>	<u>2006</u>
23	<u>\$. , . . . ,</u>	<u>.</u>	<u>2007</u>

24 These appropriations do not cancel but are available until
25 expended.

26 ARTICLE 3

27 TECHNOLOGY, FACILITIES, AND NUTRITION

28 Section 1. Minnesota Statutes 2004, section 123B.492, is
29 amended to read:

30 123B.492 [SUPERVISED COMPETITIVE HIGH SCHOOL DIVING.]

31 Notwithstanding Minnesota Rules, part 4717.3750, any pool
32 built before January 1, 1987, that was used for a one-meter
33 board high school diving program during the 2000-2001 school
34 year may be used for supervised competitive one-meter board high
35 school diving. Schools and school districts are strongly
36 encouraged to use a pool for supervised competitive high school

1 diving that meets the requirements of Minnesota Rules, part
2 4717.3750. A school or district using a pool for
3 supervised ~~training-practice-for~~ competitive high school
4 diving for either training practice or competition that does not
5 meet the requirements of Minnesota Rules, part 4717.3750, must
6 provide appropriate notice to parents and participants as to the
7 type of variance from Minnesota Rules and risk it may present.

8 Sec. 2. Minnesota Statutes 2004, section 123B.71,
9 subdivision 9, is amended to read:

10 Subd. 9. [INFORMATION REQUIRED.] A school board proposing
11 to construct a facility described in subdivision 8 shall submit
12 to the commissioner a proposal containing information including
13 at least the following:

14 (1) the geographic area and population to be served,
15 preschool through grade 12 student enrollments for the past five
16 years, and student enrollment projections for the next five
17 years;

18 (2) a list of existing facilities by year constructed,
19 their uses, and an assessment of the extent to which alternate
20 facilities are available within the school district boundaries
21 and in adjacent school districts;

22 (3) a list of the specific deficiencies of the facility
23 that demonstrate the need for a new or renovated facility to be
24 provided, and a list of the specific benefits that the new or
25 renovated facility will provide to the students, teachers, and
26 community users served by the facility;

27 (4) the relationship of the project to any priorities
28 established by the school district, educational cooperatives
29 that provide support services, or other public bodies in the
30 service area;

31 (5) a specification of how the project will increase
32 community use of the facility and whether and how the project
33 will increase collaboration with other governmental or nonprofit
34 entities;

35 (6) a description of the project, including the
36 specification of site and outdoor space acreage and square

1 footage allocations for classrooms, laboratories, and support
2 spaces; estimated expenditures for the major portions of the
3 project; and the dates the project will begin and be completed;

4 (7) a specification of the source of financing the project;
5 the scheduled date for a bond issue or school board action; a
6 schedule of payments, including debt service equalization aid;
7 and the effect of a bond issue on local property taxes by the
8 property class and valuation;

9 (8) an analysis of how the proposed new or remodeled
10 facility will affect school district operational or
11 administrative staffing costs, and how the district's operating
12 budget will cover any increased operational or administrative
13 staffing costs;

14 (9) a description of the consultation with local or state
15 road and transportation officials on school site access and
16 safety issues, and the ways that the project will address those
17 issues;

18 (10) a description of how indoor air quality issues have
19 been considered and a certification that the architects and
20 engineers designing the facility will have professional
21 liability insurance;

22 (11) as required under section 123B.72, for buildings
23 coming into service after July 1, 2002, a certification that the
24 plans and designs for the extensively renovated or new
25 facility's heating, ventilation, and air conditioning systems
26 will meet or exceed code standards; will provide for the
27 monitoring of outdoor airflow and total airflow of ventilation
28 systems; and will provide an indoor air quality filtration
29 system that meets ASHRAE standard 52.1;

30 (12) a specification of any desegregation requirements that
31 cannot be met by any other reasonable means; and

32 (13) a specification, if applicable, of how the facility
33 will utilize environmentally sustainable school facility design
34 concepts; and

35 (14) a description of how the architects and engineers have
36 considered the American National Standards Institute Acoustical

1 Performance Criteria, Design Requirements and Guidelines for
2 Schools on maximum background noise levels and reverberation
3 times.

4 Sec. 3. Minnesota Statutes 2004, section 124D.095,
5 subdivision 2, is amended to read:

6 Subd. 2. [DEFINITIONS.] For purposes of this section, the
7 following terms have the meanings given them.

8 (a) "Online learning" is an interactive course or program
9 that delivers instruction from a teacher to a student by
10 computer; is combined with other traditional delivery methods
11 that include frequent student assessment and may include actual
12 teacher contact time; and meets or exceeds state academic
13 standards.

14 (b) "Online learning provider" is a school district, an
15 intermediate school district, an organization of two or more
16 school districts operating under a joint powers agreement, or a
17 charter school located in Minnesota that provides online
18 learning to students.

19 (c) "Student" is a Minnesota resident enrolled in a school
20 under section 120A.22, subdivision 4, in kindergarten through
21 grade 12.

22 (d) "Online learning student" is a student enrolled in an
23 online learning course or program delivered by an online
24 provider under paragraph (b).

25 (e) "Enrolling district" means the school district or
26 charter school in which a student is enrolled under section
27 120A.22, subdivision 4, for purposes of compulsory attendance.

28 Sec. 4. Minnesota Statutes 2004, section 124D.095,
29 subdivision 4, is amended to read:

30 Subd. 4. [ONLINE LEARNING PARAMETERS.] (a) An online
31 learning student must receive academic credit for completing the
32 requirements of an online learning course or program. Secondary
33 credits granted to an online learning student must be counted
34 toward the graduation and credit requirements of the enrolling
35 district. The enrolling district must apply the same graduation
36 requirements to all students, including online learning

1 students, and must continue to provide nonacademic services to
2 online learning students. If a student completes an online
3 learning course or program that meets or exceeds a graduation
4 standard or grade progression requirement at the enrolling
5 district, that standard or requirement is met. The enrolling
6 district must use the same criteria for accepting online
7 learning credits or courses as it does for accepting credits or
8 courses for transfer students under section 124D.03, subdivision
9 9. The enrolling district may reduce the teacher contact time
10 of an online learning student in proportion to the number of
11 online learning courses the student takes from an online
12 learning provider that is not the enrolling district.

13 (b) An online learning student may:

14 (1) enroll during a single school year in a maximum of 12
15 semester-long courses or their equivalent delivered by an online
16 learning provider or the enrolling district;

17 (2) complete course work at a grade level that is different
18 from the student's current grade level; and

19 (3) enroll in additional courses with the online learning
20 provider under a separate agreement that includes terms for
21 payment of any tuition or course fees.

22 (c) A student with a disability may enroll in an online
23 learning course or program if the student's IEP team determines
24 that online learning is appropriate education for the student.

25 (d) An online learning student has the same access to the
26 computer hardware and education software available in a school
27 as all other students in the enrolling district. An online
28 learning provider must assist an online learning student whose
29 family qualifies for the education tax credit under section
30 290.0674 to acquire computer hardware and educational software
31 for online learning purposes.

32 (e) An enrolling district may offer online learning to its
33 enrolled students. Such online learning does not generate
34 online learning funds under this section. An enrolling district
35 that offers online learning only to its enrolled students is not
36 subject to the reporting requirements or review criteria under

1 subdivision 7. A teacher with a Minnesota license must assemble
2 and deliver instruction to enrolled students receiving online
3 learning from an enrolling district. The delivery of
4 instruction occurs when the student interacts with the computer
5 or the teacher. The instruction may include curriculum
6 developed by persons other than a teacher with a Minnesota
7 license.

8 (f) An online learning provider that is not the enrolling
9 district is subject to the reporting requirements and review
10 criteria under subdivision 7. A teacher with a Minnesota
11 license must assemble and deliver instruction to online learning
12 students. The delivery of instruction occurs when the student
13 interacts with the computer or the teacher. The instruction may
14 include curriculum developed by persons other than a teacher
15 with a Minnesota license. Unless the commissioner grants a
16 waiver, a teacher providing online learning instruction must not
17 instruct more than 40 students in any one online learning course
18 or program.

19 Sec. 5. Minnesota Statutes 2004, section 124D.095,
20 subdivision 8, is amended to read:

21 Subd. 8. [FINANCIAL ARRANGEMENTS.] (a) For a student
22 enrolled in an on-line learning course, the department must
23 calculate average daily membership and make payments according
24 to this subdivision.

25 (b) The initial on-line learning average daily membership
26 equals 1/12 for each semester course or a proportionate amount
27 for courses of different lengths. The adjusted on-line learning
28 average daily membership equals the initial on-line learning
29 average daily membership times .88.

30 (c) No on-line learning average daily membership shall be
31 generated if: (1) the student does not complete the on-line
32 learning course, or (2) the student is enrolled in on-line
33 learning provided by the enrolling district and ~~the student was~~
34 ~~enrolled in a Minnesota public school for the school year before~~
35 ~~the school year in which the student first enrolled in on-line~~
36 ~~learning~~ the student is enrolled in an instructional program in

1 which at least 40 percent of the total instructional time takes
 2 place in the school's facilities, or (3) the student is enrolled
 3 in online learning and the student was enrolled in and received
 4 funding for online learning for the school year before the
 5 school year in which the student is currently enrolled. For
 6 students enrolled in on-line learning according to clause (2),
 7 the department shall calculate average daily membership
 8 according to section 126C.05, subdivision 8.

9 (d) On-line learning average daily membership under this
 10 subdivision for a student currently enrolled in a Minnesota
 11 public school ~~and who was enrolled in a Minnesota public school~~
 12 ~~for the school year before the school year in which the student~~
 13 ~~first enrolled in on-line learning~~ shall be used only for
 14 computing average daily membership according to section 126C.05,
 15 subdivision 19, paragraph (a), clause (ii), and for computing
 16 on-line learning aid according to section ~~126E.24~~ 124D.096.

17 ~~(e) On-line learning average daily membership under this~~
 18 ~~subdivision for students not included in paragraph (e) or (d)~~
 19 ~~shall be used only for computing average daily membership~~
 20 ~~according to section 126E.05, subdivision 19, paragraph (a),~~
 21 ~~clause (ii), and for computing payments under paragraphs (f) and~~
 22 ~~(g).~~

23 ~~(f) Subject to the limitations in this subdivision, the~~
 24 ~~department must pay an on-line learning provider an amount equal~~
 25 ~~to the product of the adjusted on-line learning average daily~~
 26 ~~membership for students under paragraph (e) times the student~~
 27 ~~grade-level weighting under section 126E.05, subdivision 1,~~
 28 ~~times the formula allowance.~~

29 ~~(g) The department must pay each on-line learning provider~~
 30 ~~100 percent of the amount in paragraph (f) within 45 days of~~
 31 ~~receiving final enrollment and course completion information~~
 32 ~~each quarter or semester.~~

33 [EFFECTIVE DATE.] This section is effective for revenue for
 34 fiscal year 2006.

35 Sec. 6. Minnesota Statutes 2004, section 124D.095, is
 36 amended by adding a subdivision to read:

1 Subd. 10. [ONLINE LEARNING ADVISORY COUNCIL.] (a) An
2 online learning advisory council is established under section
3 15.059, except that the term for each council member shall be
4 three years. The advisory council is composed of 12 members
5 from throughout the state who have demonstrated experience with
6 or interest in online learning. The members of the council
7 shall be appointed by the commissioner. The advisory council
8 shall bring to the attention of the commissioner any matters
9 related to online learning and provide input to the department
10 in matters related, but not restricted, to:

- 11 (1) quality assurance;
- 12 (2) teacher qualifications;
- 13 (3) program approval;
- 14 (4) special education;
- 15 (5) attendance;
- 16 (6) program design and requirements; and
- 17 (7) fair and equal access to programs.

18 (b) The online learning advisory council under this
19 subdivision expires June 30, 2008.

20 Sec. 7. [125B.26] [TELECOMMUNICATIONS/INTERNET ACCESS
21 EQUITY AID.]

22 Subdivision 1. [COSTS TO BE SUBMITTED.] (a) A district or
23 charter school shall submit its actual
24 telecommunications/Internet access costs for the previous fiscal
25 year, adjusted for any e-rate revenue received, to the
26 department by August 15 of each year as prescribed by the
27 commissioner. Costs eligible for reimbursement under this
28 program are limited to the following:

29 (1) ongoing or recurring telecommunications/Internet access
30 costs associated with Internet access, data lines, and video
31 links providing:

32 (i) the equivalent of one data line, video link, or
33 integrated data/video link that relies on a transport medium
34 that operates at a minimum speed of 1.544 megabytes per second
35 (T1) for each elementary school, middle school, or high school
36 under section 120A.05, subdivisions 9, 11, and 13, including the

1 recurring telecommunications line lease costs and ongoing
2 Internet access service fees; or

3 (ii) the equivalent of one data line or video circuit, or
4 integrated data/video link that relies on a transport medium
5 that operates at a minimum speed of 1.544 megabytes per second
6 (T1) for each district, including recurring telecommunications
7 line lease costs and ongoing Internet access service fees;

8 (2) recurring costs of contractual or vendor-provided
9 maintenance on the school district's wide area network to the
10 point of presence at the school building up to the router,
11 codec, or other service delivery equipment located at the point
12 of presence termination at the school or school district;

13 (3) recurring costs of cooperative, shared arrangements for
14 regional delivery of telecommunications/Internet access between
15 school districts, postsecondary institutions, and public
16 libraries including network gateways, peering points, regional
17 network infrastructure, Internet2 access, and network support,
18 maintenance, and coordination; and

19 (4) service provider installation fees for installation of
20 new telecommunications lines or increased bandwidth.

21 (b) Costs not eligible for reimbursement under this program
22 include:

23 (1) recurring costs of school district staff providing
24 network infrastructure support;

25 (2) recurring costs associated with voice and standard
26 telephone service;

27 (3) costs associated with purchase of network hardware,
28 telephones, computers, or other peripheral equipment needed to
29 deliver telecommunications access to the school or school
30 district;

31 (4) costs associated with laying fiber for
32 telecommunications access;

33 (5) costs associated with wiring school or school district
34 buildings;

35 (6) costs associated with purchase, installation, or
36 purchase and installation of Internet filtering; and

1 (7) costs associated with digital content, including
2 on-line learning or distance learning programming, and
3 information databases.

4 Subd. 2. [E-RATES.] To be eligible for aid under this
5 section, a district or charter school is required to file an
6 e-rate application either separately or through its
7 telecommunications access cluster and have a current technology
8 plan on file with the department. Discounts received on
9 telecommunications expenditures shall be reflected in the costs
10 submitted to the department for aid under this section.

11 Subd. 3. [REIMBURSEMENT CRITERIA.] The commissioner shall
12 develop criteria for approving costs submitted by school
13 districts and charter schools under subdivision 1.

14 Subd. 4. [DISTRICT AID.] For fiscal year 2006, a district
15 or charter school's Internet access equity aid equals 90 percent
16 of the district or charter school's approved cost for the
17 previous fiscal year according to subdivision 1 exceeding \$15
18 times the district's adjusted marginal cost pupil units for the
19 previous fiscal year. For fiscal year 2007 and later, a
20 district or charter school's Internet access equity aid equals
21 90 percent of the district or charter school's approved cost for
22 the previous fiscal year according to subdivision 1 exceeding
23 \$18 times the district's adjusted pupil units for the previous
24 fiscal year, as adjusted under section 126C.05, subdivision 14.

25 Subd. 5. [TELECOMMUNICATIONS/INTERNET ACCESS SERVICES FOR
26 NONPUBLIC SCHOOLS.] (a) Districts shall provide each year upon
27 formal request by or on behalf of a nonpublic school, not
28 including home schools, located in that district or area,
29 ongoing or recurring telecommunications access services to the
30 nonpublic school either through existing district providers or
31 through separate providers.

32 (b) The amount of district aid for telecommunications
33 access services for each nonpublic school under this subdivision
34 equals the lesser of:

35 (1) 90 percent of the nonpublic school's approved cost for
36 the previous fiscal year according to subdivision 1 exceeding

1 \$10 for fiscal year 2006 and \$13 for fiscal year 2007 and later
2 times the number of weighted pupils enrolled at the nonpublic
3 school as of October 1 of the previous school year; or

4 (2) the product of the district's aid per pupil unit
5 according to subdivision 4 times the number of weighted pupils
6 enrolled at the nonpublic school as of October 1 of the previous
7 school year.

8 (c) For purposes of this subdivision, nonpublic school
9 pupils shall be weighted by grade level using the weighting
10 factors defined in section 126C.05, subdivision 1.

11 (d) Each year, a district providing services under
12 paragraph (a) may claim up to five percent of the aid determined
13 in paragraph (b) for costs of administering this subdivision.
14 No district may expend an amount for these telecommunications
15 access services which exceeds the amount allocated under this
16 subdivision. The nonpublic school is responsible for the
17 Internet access costs not covered by this section.

18 (e) At the request of a nonpublic school, districts may
19 allocate the amount determined in paragraph (b) directly to the
20 nonpublic school to pay for or offset the nonpublic school's
21 costs for telecommunications access services, however, the
22 amount allocated directly to the nonpublic school may not exceed
23 the actual amount of the school's ongoing or recurring
24 telecommunications access costs.

25 Subd. 6. [SEVERABILITY.] If any portion of this section is
26 found by a court to be unconstitutional, the remaining portions
27 of the section shall remain in effect.

28 [EFFECTIVE DATE.] This section is effective for revenue for
29 fiscal year 2006.

30 Sec. 8. Minnesota Statutes 2004, section 128C.12,
31 subdivision 1, is amended to read:

32 Subdivision 1. [DUES AND EVENTS REVENUE.] (a) The state
33 auditor annually must examine the accounts of, and audit all
34 money paid to, the State High School League by its members. The
35 audit must include financial and compliance issues. The state
36 ~~auditor~~ audit must also ~~audit~~ include all money derived from any

1 event sponsored by the league. ~~League-audits-must-include~~
2 ~~audits-of-administrative-regions-of-the-league---The-league-and~~
3 ~~its-administrative-regions-may-not-contract-with-private~~
4 ~~auditors---The-scope-of-the-state-auditor's-examinations-of-the~~
5 ~~league-must-be-agreed-upon-by-the-board-and-the-state-auditor,~~
6 ~~provided-that-all-requirements-of-this-section-must-be-met.~~

7 (b) The administrative regions of the league may contract
8 with the state auditor or with a private certified public
9 accountant for the audit required by this section. If the audit
10 is performed by a private certified public accountant, the state
11 auditor may require additional information from the private
12 certified public accountant as the state auditor deems in the
13 public interest. The state auditor may accept the audit or make
14 additional examinations as the state auditor deems to be in the
15 public interest.

16 Sec. 9. Minnesota Statutes 2004, section 128C.12,
17 subdivision 3, is amended to read:

18 Subd. 3. [COPIES.] ~~The state-auditor~~ board must file
19 copies of the ~~financial-and-compliance~~ audit report with the
20 commissioner of education and the director of the Legislative
21 Reference Library.

22 Sec. 10. [SCHOOLS INTEROPERABILITY FRAMEWORK.]

23 By July 1, 2007, schools, school districts, and the
24 Department of Education must comply with the phase one
25 implementation requirements of the Schools Interoperability
26 Framework specifications to provide for efficient student data
27 sharing.

28 Sec. 11. [SCHOOL DATA SHARING WORKING GROUP.]

29 Subdivision 1. [MEMBERSHIP.] (a) The commissioner of
30 administration and the chief information officer shall convene a
31 working group consisting of representatives of the following:

32 (1) several school districts that are diverse in size and
33 location;

34 (2) charter schools;

35 (3) alternative learning centers;

36 (4) the Department of Education; and

1 (5) up to three citizens with expertise in information
2 technology.

3 (b) The working group must:

4 (1) develop a uniform data model that is usable for
5 schools, school districts, and the Department of Education and
6 enables effective data sharing among schools, school districts,
7 and the Department of Education; and

8 (2) evaluate the feasibility, costs, and benefits of
9 consolidating the provision of data processing, storage, and
10 exchange services currently performed by districts with a single
11 provider for all student-related data reported through the
12 Minnesota Automated Reporting Student System; and

13 (3) define the responsibilities of state agencies, regional
14 management information centers, school districts, and schools in
15 implementing data interoperability, and determine any
16 state-specific requirements for school data interoperability.

17 Subd. 2. [REPORT TO LEGISLATURE.] The working group must
18 report on the work performed under subdivision 1 to the
19 legislature by January 15, 2006. The report must include a
20 recommendation of any legislative changes needed to streamline
21 exchange of data among districts and reports for schools and
22 school districts. Thereport must include a recommendation on
23 the feasibility of consolidating the provision of student data
24 processing products and services by the state on behalf of
25 school districts.

26 Sec. 12. [TESTING BASED ON A GROWTH MODEL.]

27 (a) For the purposes of the No Child Left Behind Act,
28 Public Law 107-110, and the statewide testing and reporting
29 system under Minnesota Statutes, section 120B.30, the
30 commissioner of education must select computer-based adaptive
31 assessments that accurately measure student achievement and
32 student growth across time. The selected assessments must be
33 aligned with Minnesota standards, use a common scale score over
34 multiple grades or ages, have been used by Minnesota school
35 districts , and be capable of being used for source data for a
36 growth or value-added model of school evaluation. An assessment

1 selected under this section administered at the high school
2 level must be aligned with college entrance requirements. In
3 addition to reporting requirements in Minnesota Statutes,
4 section 120B.30, the commissioner must report assessment result
5 data in a way that shows the growth trends over time for
6 students in four groups:

7 (1) performing above grade level;

8 (2) performing at grade level;

9 (3) approaching grade-level performance; and

10 (4) performing significantly below grade level.

11 If the federal Department of Education does not approve the use
12 of the computer-adaptive assessments selected under this
13 section, the commissioner must notify the federal Department of
14 Education that Minnesota is opting out of the provisions of the
15 No Child Left Behind Act.

16 (b) The Department of Education must assist schools that
17 are eligible to receive Microsoft settlement cy pres program
18 vouchers in using the vouchers to acquire equipment and software
19 necessary to administer the assessment selected under this
20 section.

21 Sec. 13. [STUDENT PORTFOLIO DEMONSTRATION PROJECT.]

22 Subdivision 1. [ASSESSMENT.] The commissioner of education
23 shall select up to three school districts to participate in a
24 student portfolio demonstration project. Demonstration project
25 participants must use a portfolio assessment that has
26 demonstrated content validity with respect to the required
27 academic standards under Minnesota Statutes, section 120B.021,
28 and are aligned with appropriate benchmarks established under
29 Minnesota Statutes, section 120B.023. Districts that are part
30 of the demonstration project may use the student portfolio to
31 comply with the assessment portion of the No Child Left Behind
32 Act.

33 Subd. 2. [APPLICATION.] A school district must submit an
34 application in the form and manner prescribed by the
35 commissioner in order to participate in the demonstration
36 project. A school district's application must include a plan

1 indicating the grade level and content area in which student
2 portfolios will be used.

3 Subd. 3. [COMMISSIONER.] (a) The commissioner shall
4 determine the technical soundness of the portfolio assessment
5 selected by a school district. In addition, the commissioner
6 shall determine comparability of the chosen assessment to the
7 state-administered tests used in other grade levels.

8 (b) The commissioner shall submit a request to the federal
9 Department of Education to use a local assessment model that
10 uses student portfolios for compliance with the assessment
11 portion of the No Child Left Behind Act.

12 Sec. 14. [REPEALER.]

13 Minnesota Statutes 2004, sections 123B.749; 124D.095,
14 subdivision 9; and 128C.12, subdivision 4, are repealed.

15 [EFFECTIVE DATE.] This section is effective for revenue for
16 fiscal year 2006."

17 Delete the title and insert:

18 "A bill for an act relating to education; education
19 excellence; special programs; technology, facilities, and
20 nutrition; appropriating money; amending Minnesota Statutes
21 2004, sections 13.321, by adding a subdivision; 120B.02;
22 120B.021, subdivision 1; 120B.024; 120B.11, subdivisions 1, 2,
23 3, 4, 5, 8; 120B.13, subdivisions 1, 3; 120B.30, subdivisions 1,
24 1a; 121A.06, subdivisions 2, 3; 121A.53; 121A.66, subdivision 5,
25 by adding subdivisions; 121A.67; 122A.06, subdivision 4;
26 122A.09, subdivision 4; 122A.18, subdivision 2a; 122A.41,
27 subdivision 14; 122A.413; 123A.24, subdivision 2; 123B.71,
28 subdivision 9; 123B.92, subdivision 1; 124D.095, subdivisions 2,
29 8, 8, by adding a subdivision; 124D.10, subdivision 3; 124D.11,
30 subdivisions 1, 6; 124D.66, subdivision 3; 124D.74, subdivision
31 1; 124D.81, subdivision 1; 124D.84, subdivision 1; 125A.05;
32 125A.24; 125A.28; 125A.51; 126C.10, subdivision 1, by adding a
33 subdivision; 126C.457; 134.31, by adding a subdivision;
34 136A.101, subdivision 4; proposing coding for new law in
35 Minnesota Statutes, chapters 120B; 121A; 122A; 123A; 124D; 125B;
36 127A; 129C; repealing Minnesota Statutes 2004, sections
37 122A.414; 122A.415; 124D.095, subdivision 9."

Fiscal Status -- Category Sort K12 - Jurisdiction

Bill Numb	Author	Description	Heard? Date Action? H Rqst	Fiscal Final?	Fiscal Note		Aid? Levy?	Bill Aid Bill Levy				
					Req'd/ Received	Dates		FY 2005	FY 2006	FY 2007	FY 2008	FY 2009
Category Facilities												
283	Fischbach	Including Student Support Services in Health and Safety Program	<input checked="" type="checkbox"/> 4/13/2005 amended, tabled <input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/> <input checked="" type="checkbox"/>	1/27/2005 2/28/2005	<input checked="" type="checkbox"/> <input checked="" type="checkbox"/>	0 0	1,790,000 260,349,000	1,920,000 265,850,000	1,651,000 271,412,000	1,430,000 271,412,000
591	Stumpf	Askov Sale of School Facility & Forgiving Max. Effort Loan Balance	<input checked="" type="checkbox"/> 3/15/2005 tabled <input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/> <input checked="" type="checkbox"/>	2/4/2005 2/11/2005	<input checked="" type="checkbox"/> <input type="checkbox"/>	-215,000 0	0 0	0 0	0 0	0 0
889	Kiscaden	Ag Land Not Subject to Certain School District Debt Service Levies	<input checked="" type="checkbox"/> 4/13/2005 amended, tabled <input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/> <input checked="" type="checkbox"/>	2/11/2005 3/9/2005	<input checked="" type="checkbox"/> <input checked="" type="checkbox"/>	0 0	0 0	0 0	3,276,000 1,000,000	6,867,000 2,000,000
1851	Saxhaug	Certain refunding bonds are eligible for payments from taconite production tax revenues	<input checked="" type="checkbox"/> 4/13/2005 see notes <input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/> <input checked="" type="checkbox"/>	3/24/2005 4/11/2005	<input type="checkbox"/> <input type="checkbox"/>	0 0	0 0	0 0	0 0	0 0
Category Fund Transfers/Accounting												
132	Ourada	Fund Transfer for I.S.D. No. 833, Rockford	<input checked="" type="checkbox"/> 3/16/2005 tabled <input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/> <input checked="" type="checkbox"/>	1/27/2005 2/10/2005	<input checked="" type="checkbox"/> <input checked="" type="checkbox"/>	0 0	0 392,534	219,000 0	48,000 0	0 0
455	Dille	McLeod West Fund Transfer	<input checked="" type="checkbox"/> 3/16/2005 tabled <input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/> <input checked="" type="checkbox"/>	1/27/2005 2/3/2005	<input type="checkbox"/> <input type="checkbox"/>	0 0	0 0	0 0	0 0	0 0
829	Vickerman	Ruthton Fund Transfer	<input checked="" type="checkbox"/> 3/16/2005 tabled <input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/> <input checked="" type="checkbox"/>	2/11/2005 2/23/2005	<input type="checkbox"/> <input type="checkbox"/>	0 0	0 0	0 0	0 0	0 0

Bill Numb	Author	Description	Heard? Date Action? H Rqst	Fiscal Final?	Fiscal Note		Aid? Levy?	Bill Aid Bill Levy				
					Req'd/ Received	Dates		FY 2005	FY 2006	FY 2007	FY 2008	FY 2009
864	Sams	Chokio-Alberta Fund Transfer	<input checked="" type="checkbox"/> 3/16/2005 tabled <input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	2/11/2005	<input type="checkbox"/>	0	0	0	0	0
					<input checked="" type="checkbox"/>	2/16/2005	<input checked="" type="checkbox"/>	0	0	50,000	0	0
1033	Bakk	Lake Superior Fund Transfer	<input checked="" type="checkbox"/> 3/16/2005 ing - need more <input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	2/22/2005	<input type="checkbox"/>	0	0	0	0	0
					<input checked="" type="checkbox"/>	3/15/2005	<input checked="" type="checkbox"/>	0	0	940,000	0	0
1251	Frederickson	Russell Fund Transfer	<input checked="" type="checkbox"/> 3/16/2005 tabled <input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	3/10/2005	<input type="checkbox"/>	0	0	0	0	0
					<input checked="" type="checkbox"/>	3/14/2005	<input type="checkbox"/>	0	0	0	0	0
1361	Kubly	M.A.C.C.R.A.Y. Fund Transfer	<input checked="" type="checkbox"/> 3/16/2005 tabled <input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	3/4/2005	<input type="checkbox"/>	0	0	0	0	0
					<input checked="" type="checkbox"/>	3/14/2005	<input checked="" type="checkbox"/>	0	0	230,000	0	0
					<i>Potential levy cost of \$230,000 in Pay06 if district reported the excess balances after completing accessibility proje</i>							
1367	Skoglund	Net Debt Limit Definition	<input checked="" type="checkbox"/> 3/29/2005 tabled <input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	3/10/2005	<input type="checkbox"/>	0	0	0	0	0
					<input type="checkbox"/>		<input type="checkbox"/>	0	0	0	0	0
1515	Fischbach	Rocori Fund Transfer	<input checked="" type="checkbox"/> 3/16/2005 bled as amende <input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	3/11/2005	<input type="checkbox"/>	0	0	0	0	0
					<input checked="" type="checkbox"/>	3/14/2005	<input checked="" type="checkbox"/>	0	0	150,000	0	0
					<i>Bill amended in committee from \$100,000 to \$150,000 on 3/16/05</i>							
1516	Fischbach	Holdingford Fund Transfer	<input checked="" type="checkbox"/> 3/16/2005 tabled <input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	3/11/2005	<input checked="" type="checkbox"/>	0	0	38,000	43,000	34,000
					<input checked="" type="checkbox"/>	3/15/2005	<input checked="" type="checkbox"/>	0	0	24,500	28,000	31,500
1590	Frederickson	Butterfield Fund Transfer	<input checked="" type="checkbox"/> 3/16/2005 tabled <input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	3/11/2005	<input type="checkbox"/>	0	0	0	0	0
					<input checked="" type="checkbox"/>	3/15/2005	<input type="checkbox"/>	0	0	0	0	0

Bill Numb	Author	Description	Heard? Date Action? H Rqst	Fiscal Final?	Fiscal Note		Aid? Levy?	Bill Aid Bill Levy				
					Req'd/ Received	Dates		FY 2005	FY 2006	FY 2007	FY 2008	FY 2009
1690	Kleis	St. Cloud Fund Transfer	<input checked="" type="checkbox"/> 3/16/2005 tabled <input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	3/17/2005	<input type="checkbox"/>	0	0	0	0	0
					<input checked="" type="checkbox"/>	3/24/2005	<input checked="" type="checkbox"/>		0	800,000	0	0
1746	Vickerman	Windom Account Transfer	<input checked="" type="checkbox"/> 4/4/2005 tabled <input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	4/3/2005	<input type="checkbox"/>	0	0	0	0	0
					<input type="checkbox"/>		<input type="checkbox"/>		0	0	0	0
1965	Fischbach	Paynesville Fund Transfer	<input checked="" type="checkbox"/> 4/5/2005 tabled <input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	4/3/2005	<input type="checkbox"/>	0	0	0	0	0
					<input type="checkbox"/>		<input type="checkbox"/>		0	0	0	0
2017	Johnson, Dean	New London-Spicer Future Fund Balance Transfer	<input checked="" type="checkbox"/> 4/4/2005 amended, tabled <input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	4/3/2005	<input type="checkbox"/>	0	0	0	0	0
					<input type="checkbox"/>		<input type="checkbox"/>		0	0	0	0
2023	Stumpf	Win-E-Mac Fund Transfer	<input checked="" type="checkbox"/> 4/4/2005 tabled <input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	4/3/2005	<input type="checkbox"/>	0	0	0	0	0
					<input type="checkbox"/>		<input type="checkbox"/>		0	0	0	0
2034	Marko	Repeal Reserve Revenue for Cooperative Programs	<input checked="" type="checkbox"/> 4/5/2005 tabled <input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	4/3/2005	<input type="checkbox"/>	0	0	0	0	0
					<input type="checkbox"/>		<input type="checkbox"/>		0	0	0	0
2078	Johnson, Dean	Willmar Fund Transfer	<input checked="" type="checkbox"/> 4/4/2005 amended, tabled <input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	4/3/2005	<input type="checkbox"/>	0	0	0	0	0
					<input type="checkbox"/>		<input type="checkbox"/>		0	0	0	0
2086	Johnson, Dean	ACGC Fund Transfer	<input checked="" type="checkbox"/> 4/4/2005 tabled <input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	4/3/2005	<input type="checkbox"/>	0	0	0	0	0
					<input type="checkbox"/>		<input type="checkbox"/>		0	0	0	0

Bill Numb	Author	Description	Heard? Date Action? H Rqst	Fiscal Final?	Fiscal Note		Aid? Levy?	Bill Aid Bill Levy					
					Req'd/ Received	Dates		FY 2005	FY 2006	FY 2007	FY 2008	FY 2009	
2100	Rosen	Lake Crystal-Wellcome Memorial Fund Transfer	<input checked="" type="checkbox"/> 4/12/2005 amended, tabled <input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/>		<input type="checkbox"/> <input type="checkbox"/>	0	0	0	0	0	0
2161	Fischbach	Flexibility to Transfer of Unused Debt Service Revenue	<input checked="" type="checkbox"/> 4/13/2005 amended, tabled <input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/>		<input type="checkbox"/> <input type="checkbox"/>	0	0	0	0	0	0
Category General Ed													
12	Wiger	Gen Ed Formula Allowance Increase	<input checked="" type="checkbox"/> 4/6/2005 tabled <input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/>	<i>formula increase.</i>	<input checked="" type="checkbox"/> <input type="checkbox"/>	0	326,038,769	370,728,363	348,227,193	319,880,896	0
190	Hottinger	Voluntary All-Day Kindergarten Funding	<input checked="" type="checkbox"/> 3/23/2005 tabled <input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/> <input checked="" type="checkbox"/>	1/27/2005 3/21/2005	<input checked="" type="checkbox"/> <input checked="" type="checkbox"/>	0	134,080,000	156,037,000	154,736,000	152,002,000	0
221	Skoglund	Voluntary Full-Day Kindergarten: Prekindergarten School Readiness	<input checked="" type="checkbox"/> 3/23/2005 tabled <input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/> <input checked="" type="checkbox"/>	1/27/2005 3/21/2005	<input checked="" type="checkbox"/> <input checked="" type="checkbox"/>	0	175,820,000	206,838,000	206,849,000	206,733,000	5,658,000
245	Marty	Basic Formula Allowance, Restoring Funding for Various Programs	<input checked="" type="checkbox"/> 4/7/2005 tabled in part <input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/> <input checked="" type="checkbox"/>	1/27/2005 4/5/2005	<input checked="" type="checkbox"/> <input checked="" type="checkbox"/>	0	323,052,000	417,007,000	460,262,000	503,419,000	0
1239	Jungbauer	Increasing the Formula Allowance & Modifying Pupil Units	<input checked="" type="checkbox"/> 4/6/2005 tabled <input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/> <input type="checkbox"/>	3/1/2005	<input type="checkbox"/> <input type="checkbox"/>	0	0	0	0	0	0
1311	Rest	Area Learning Center Pupil Eligibility and Restoring Funding	<input checked="" type="checkbox"/> 4/6/2005 tabled <input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/> <input checked="" type="checkbox"/>	3/2/2005 3/23/2005	<input checked="" type="checkbox"/> <input type="checkbox"/>	0	13,408,000	18,241,000	21,474,000	24,937,000	0

Bill Numb	Author	Description	Heard? Date Action? H Rqst	Fiscal Final?	Fiscal Note		Aid? Levy?	Bill Aid Bill Levy				
					Req'd/ Received	Dates		FY 2005	FY 2006	FY 2007	FY 2008	FY 2009
1402	Stumpf	School Finance Study	<input checked="" type="checkbox"/> 4/7/2005 tabled <input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	0	175,000	0	0	0
					<input type="checkbox"/>		<input type="checkbox"/>		0	0	0	0
1532	Bachmann	Uniform Increase Basic Gen. Ed. Revenue	<input checked="" type="checkbox"/> 4/6/2005 abled, see below <input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	3/11/2005	<input checked="" type="checkbox"/>	0	160,839,000	242,713,000	194,555,000	182,042,000
					<input checked="" type="checkbox"/>	3/29/2005	<input checked="" type="checkbox"/>		0	147,000,000	214,000,000	214,000,000
						<i>bill creates property tax recognition savings</i>						
1697	Chaudhary	Long Term Stable Education Funding Source	<input checked="" type="checkbox"/> 4/6/2005 amended, tabled <input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	0	0	0	0	0
					<input type="checkbox"/>		<input type="checkbox"/>		0	0	0	0
						<i>Formula increase bill</i>						
1889	Rest	Education Price Index	<input checked="" type="checkbox"/> 4/7/2005 bled on split vo <input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	3/24/2005	<input type="checkbox"/>	0	0	0	0	0
					<input type="checkbox"/>		<input type="checkbox"/>		0	0	0	0
Category General Levy												
522	Fischbach	Use of Safe Schools Levy Funds	<input checked="" type="checkbox"/> 3/30/2005 tabled <input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	2/4/2005	<input type="checkbox"/>	0	0	0	0	0
					<input checked="" type="checkbox"/>	2/11/2005	<input checked="" type="checkbox"/>		0	2,744,300	2,714,800	2,680,300
1324	Neuville	Levying Debt Service Against Referendum Market Value	<input checked="" type="checkbox"/> 3/29/2005 tabled <input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	3/2/2005	<input type="checkbox"/>	0	0	0	0	0
					<input checked="" type="checkbox"/>	3/14/2005	<input type="checkbox"/>		0	0	0	0
						<i>Would significantly alter tax burdens of different classes of property, but would not carry levy or aid costs</i>						
1410	Saxhaug	All-Day Kindergarten Levy	<input checked="" type="checkbox"/> 3/23/2005 tabled <input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	3/4/2005	<input checked="" type="checkbox"/>	0	0	0	0	0
					<input checked="" type="checkbox"/>	3/21/2005	<input checked="" type="checkbox"/>		0	133,573,000	133,940,000	132,646,000
						<i>Bill would create shift savings on property tax recognition shift</i>						
1420	Saxhaug	Health Care Costs Levy	<input checked="" type="checkbox"/> 4/5/2005 tabled <input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	3/4/2005	<input checked="" type="checkbox"/>	0	0	0	0	0
					<input checked="" type="checkbox"/>	3/21/2005	<input checked="" type="checkbox"/>		0	66,700,000	139,900,000	220,200,000
						<i>Bill creates property tax recognition shift savings</i>						

Bill Numb	Author	Description	Heard? Date Action? H Rqst	Fiscal Final?	Fiscal Note		Aid? Levy?	Bill Aid Bill Levy				
					Req'd/ Received	Dates		FY 2005	FY 2006	FY 2007	FY 2008	FY 2009
1588	Frederickson	Increasing Certain Capital Levies	<input checked="" type="checkbox"/> 4/12/2005 tabled <input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	3/11/2005 3/21/2005	<input type="checkbox"/> <input checked="" type="checkbox"/>	0 0	0 0	0 2,162,465	0 1,688,272	0 1,427,727
<i>Bill creates shift recognition savings.</i>												
Category LEP												
312	Moua	LEP Funding Restoration	<input checked="" type="checkbox"/> 3/23/2005 tabled <input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	1/27/2005 2/7/2005	<input checked="" type="checkbox"/> <input type="checkbox"/>	0 0	11,602,000 0	14,368,000 0	14,241,000 0	14,214,000 0
357	Skoglund	Removing LEP Funding Limit	<input checked="" type="checkbox"/> 3/23/2005 tabled <input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	1/27/2005 2/10/2005	<input checked="" type="checkbox"/> <input type="checkbox"/>	0 0	2,176,000 0	2,923,000 0	2,848,000 0	2,820,000 0
1597	Rest	Restoring LEP Funding	<input checked="" type="checkbox"/> 3/23/2005 tabled <input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	3/11/2005 3/21/2005	<input checked="" type="checkbox"/> <input type="checkbox"/>	0 0	13,212,000 0	15,585,000 0	15,561,000 0	15,569,000 0
Category Libraries												
1237	Kelley	Library Programs	<input checked="" type="checkbox"/> 4/11/2005 tabled <input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	0	0	0	0	0
<i>Library funding</i>												
Category Local Levy												
50	Murphy	Red Wing Levy	<input checked="" type="checkbox"/> 3/30/2005 tabled <input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	1/28/2005 2/11/2005	<input type="checkbox"/> <input checked="" type="checkbox"/>	0 0	0 0	0 205,000	0 0	0 0
<i>Levy authority, but no amount included</i>												
81	Oqrada	Building Lease Levy Use	<input checked="" type="checkbox"/> 3/30/2005 tabled <input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	1/27/2005 2/18/2005	<input type="checkbox"/> <input checked="" type="checkbox"/>	0 0	0 0	0 563,000	0 563,000	0 563,000
<i>Wright Tech Center levy</i>												

Bill Numb	Author	Description	Heard? Date Action? H Rqst	Fiscal Final?	Fiscal Note		Aid? Levy?	Bill Aid Bill Levy				
					Req'd/ Received	Dates		FY 2005	FY 2006	FY 2007	FY 2008	FY 2009
394	Stumpf	East Grand Forks Levy for Disability Access Projects	<input checked="" type="checkbox"/> 4/7/2005 tabled <input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	1/28/2005 2/9/2005	<input type="checkbox"/> <input checked="" type="checkbox"/>	0 0	0 0	0 45,920	0 45,920	0 45,920
<i>Early recognition on this levy need to be counted. District has \$229,601 in unused authority</i>												
485	Johnson, Dean	Prinsburg	<input checked="" type="checkbox"/> 2/8/2005 signed into law <input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	1/27/2005 2/7/2005	<input checked="" type="checkbox"/> <input checked="" type="checkbox"/>	5,000 0	0 131,500	0 131,500	0 131,500	0 38,000
593	Skoe	Fertile-Beltrami Tax Base Treatment	<input checked="" type="checkbox"/> 3/30/2005 in omnibus <input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	2/4/2005 2/11/2005	<input type="checkbox"/> <input type="checkbox"/>	0 0	0 0	0 0	0 0	0 0
696	Dille	Glencoe-Silver Lake Levy	<input checked="" type="checkbox"/> 3/30/2005 tabled <input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/> <input checked="" type="checkbox"/>	0 0	0 0	0 81,276	0 0	0 0
798	Ortman	Waconia Lease Levy	<input checked="" type="checkbox"/> 4/4/2005 amended, tabled <input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	3/10/2005 3/17/2005	<input type="checkbox"/> <input checked="" type="checkbox"/>	0 0	0 0	0 54,000	0 54,000	0 54,000
<i>This bill generates property tax recognition shifts.</i>												
807	Kubly	Lac qui Parle Valley Severance Levy	<input checked="" type="checkbox"/> 3/30/2005 tabled <input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/> <input checked="" type="checkbox"/>	0 0	0 0	0 150,000	0 150,000	0 150,000

Category Nutrition

1403	Stumpf	Additional School Lunch Funding	<input checked="" type="checkbox"/> 4/11/2005 amended, tabled <input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	3/4/2005 3/17/2005	<input checked="" type="checkbox"/> <input type="checkbox"/>	0 0	9,984,000 0	9,781,000 0	9,879,000 0	10,027,000 0
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Category Other Programs

Bill Numb	Author	Description	Heard? Date Action? H Rqst	Fiscal Final?	Fiscal Note		Aid? Levy?	Bill Aid Bill Levy				
					Req'd/ Received	Dates		FY 2005	FY 2006	FY 2007	FY 2008	FY 2009
464	Sparks	Minnesota Learning Resource Center Appropriation	<input checked="" type="checkbox"/> 4/11/2005 tabled <input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/>		<input checked="" type="checkbox"/> <input type="checkbox"/>	0	250,000 0	250,000 0	0 0	0 0
963	Stumpf	Collaborative Urban Educator Program	<input checked="" type="checkbox"/> 4/11/2005 tabled <input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/>		<input checked="" type="checkbox"/> <input type="checkbox"/>	0	1,000,000 0	1,000,000 0	1,000,000 0	1,000,000 0
<i>Increases the base from the current \$528 to \$1000. So, \$472 increase per year.</i>												
1052	Marko	Elementary & Middle School Years International Baccalaureate Program	<input checked="" type="checkbox"/> 3/29/2005 tabled <input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/> <input checked="" type="checkbox"/>	2/22/2005 3/16/2005	<input checked="" type="checkbox"/> <input type="checkbox"/>	0	750,000 0	400,000 0	400,000 0	400,000 0
Category Policy												
1278	Olson	Governor's Budget Bill	<input checked="" type="checkbox"/> 3/8/2005 read <input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/>		<input type="checkbox"/> <input type="checkbox"/>	0	0 0	0 0	0 0	0 0
<i>Gov's budget bill</i>												
Category Referendum												
384	Marty	Referendum Aid Adjustment for Open Enrollment Students	<input checked="" type="checkbox"/> 4/12/2005 led, need more i <input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/> <input checked="" type="checkbox"/>	2/5/2005 2/18/2005	<input type="checkbox"/> <input type="checkbox"/>	0	-1,001,000 0	-834,000 0	-887,000 0	-946,000 0
738	Hann	Removing Referendum Allowance Limit	<input checked="" type="checkbox"/> 4/12/2005 amended, tabled <input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/> <input checked="" type="checkbox"/>	2/4/2005 2/23/2005	<input checked="" type="checkbox"/> <input checked="" type="checkbox"/>	0	0 0	57,000 52,500,000	68,000 91,900,000	59,000 149,800,000
<i>Eliminates cap on referendum</i>												
739	Michel	Removing Referendum Allowance Limit	<input checked="" type="checkbox"/> 4/12/2005 tabled <input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/> <input checked="" type="checkbox"/>	2/4/2005 2/23/2005	<input checked="" type="checkbox"/> <input checked="" type="checkbox"/>	0	0 0	57,000 52,500,000	68,000 91,900,000	59,000 149,800,000
<i>same as SF 738, fiscal note requested on SF. 738. The note is identical</i>												

Bill Numb	Author	Description	Heard? Date Action? H Rqst	Fiscal Final?	Fiscal Note		Aid? Levy?	Bill Aid Bill Levy					
					Req'd/ Received	Dates		FY 2005	FY 2006	FY 2007	FY 2008	FY 2009	
831	Wergin	Timing of Operating Referendum for Proposed Facility	<input checked="" type="checkbox"/> 4/12/2005 tabled <input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	2/11/2005 <input checked="" type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/>	0	0	0	0	0	0
2103	Foley	Increase Referendum Equalization Aid	<input checked="" type="checkbox"/> 4/12/2005 i, awaiting fisca <input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/>	0	0	0	0	0	0
2110	Hann	Increase Referendum Revenue Allowance	<input checked="" type="checkbox"/> 4/12/2005 tabled <input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/>	0	0	0	0	0	0
Category Special Education													
10	Wiger	Special Ed Growth Factors	<input checked="" type="checkbox"/> 4/6/2005 tabled <input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	1/27/2005 <input checked="" type="checkbox"/>	<input checked="" type="checkbox"/> <input type="checkbox"/>	0	19,887,000	46,787,000	74,757,000	104,655,000	0
<i>Data based on Nov. Fcst.</i>													
587	Sams	North Central Service Cooperative Calculation of Special Ed Revenue	<input checked="" type="checkbox"/> 4/11/2005 tabled <input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	2/5/2004 <input checked="" type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/>	0	0	0	0	0	0
945	Saxhaug	State Payment of Certain Excessive Special Education Costs	<input checked="" type="checkbox"/> 4/7/2005 tabled <input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	2/22/2005 <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/>	0	0	0	0	0	0
1304	Kelley	Formula Allowance Increase & Special Ed Growth Factor	<input checked="" type="checkbox"/> 4/6/2005 amended, tabled <input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	3/2/2005 <input checked="" type="checkbox"/>	<input checked="" type="checkbox"/> <input checked="" type="checkbox"/>	0	263,076,000	557,957,000	627,234,000	653,405,000	2,605,000
<i>Bill would increase property tax recognition shift</i>													
2082	Skoglund	Charter Schools and Special Education Costs	<input checked="" type="checkbox"/> 4/13/2005 amended, tabled <input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	4/3/2005 <input checked="" type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/>	0	0	0	0	0	0

Bill Numb	Author	Description	Heard? Date Action? H Rqst	Fiscal Final?	Fiscal Note		Aid? Levy?	Bill Aid Bill Levy				
					Req'd/ Received	Dates		FY 2005	FY 2006	FY 2007	FY 2008	FY 2009
Category Standards/Testing												
1244	Kelley	Conditions for Continued Implementation of NCLB	<input checked="" type="checkbox"/> 3/15/2005 o full finance as <input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/> <input type="checkbox"/>	3/1/2005	<input type="checkbox"/> <input type="checkbox"/>	0 0	0 0	0 0	0 0	0 0
Category Transportation												
142	Fischbach	School Bus Purchase Levy	<input checked="" type="checkbox"/> 4/5/2005 amended, tabled <input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/> <input checked="" type="checkbox"/>	1/27/2005 2/11/2005	<input type="checkbox"/> <input type="checkbox"/>	0 0	0 0	0 0	0 0	0 0
465	Johnson, Debbie	Modifying Student Transportation Fees	<input checked="" type="checkbox"/> 4/13/2005 see below <input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/> <input checked="" type="checkbox"/>	1/27/2005 2/2/2005	<input type="checkbox"/> <input type="checkbox"/>	0 0	0 0	0 0	0 0	0 0
<i>potential decrease in fees from this bill</i>												
624	Metzen	Financing Replacement School Buses	<input checked="" type="checkbox"/> 4/5/2005 tabled <input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/> <input checked="" type="checkbox"/>	2/4/2005 2/18/2005	<input checked="" type="checkbox"/> <input type="checkbox"/>	0 907,500	3,630,000 907,500	-743,000 907,500	-908,000 907,500	-908,000 907,500
<i>Bill creates property tax recognition shift savings.</i>												
741	Hann	Transportation Fees Trial Period	<input checked="" type="checkbox"/> 4/5/2005 o table failed on <input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/> <input checked="" type="checkbox"/>	2/4/2005 2/11/2005	<input type="checkbox"/> <input type="checkbox"/>	0 0	0 0	0 0	0 0	0 0
<i>fee increase bill, no levy or aid impact</i>												
1744	Fischbach	Sartell Garage Lease Levy	<input checked="" type="checkbox"/> 4/5/2005 tabled <input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/>		<input type="checkbox"/> <input checked="" type="checkbox"/>	0 0	0 0	0 0	0 107,000	0 67,000
1838	Marko	Hazardous Traffic Condition Pupil Transportation Zones	<input checked="" type="checkbox"/> 4/11/2005 tabled <input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/> <input checked="" type="checkbox"/>	3/24/2005 3/30/2005	<input type="checkbox"/> <input checked="" type="checkbox"/>	0 0	0 48,746,500	0 49,896,400	0 51,017,300	0 51,017,300
<i>bill creates property tax recognition savings</i>												

Bill Numb	Author	Description	Heard? Date Action? H Rqst	Fiscal Final?	Fiscal Note		Aid? Levy?	Bill Aid Bill Levy					
					Req'd/ Received	Dates		FY 2005	FY 2006	FY 2007	FY 2008	FY 2009	
1906	Vickerman	Transportation Sparsity Formula	<input checked="" type="checkbox"/> 4/5/2005 amended, tabled <input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	4/3/2005	<input checked="" type="checkbox"/>	0	4,659,400	5,525,000	5,525,000	5,525,000	5,525,000
					<input type="checkbox"/>		<input type="checkbox"/>		0	0	0	0	0
					<i>transp. sparsity increase</i>								
Total Aid Impact:								-210,000	1,464,428,169	2,066,854,363	2,140,907,193	2,203,223,896	
Total Levy Impact:									6,697,000	814,236,495	1,027,398,392	1,232,537,247	