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State of Minnesota  
HOUSE OF REPRESENTATIVES

EIGHTY-SIXTH  
SESSION

HOUSE FILE No. **2106**

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The bill was read for the first time and referred to the Committee on K-12 Education Policy and Oversight

1.1 A bill for an act  
1.2 relating to education; establishing a five-year pilot program allowing alternative  
1.3 learning centers and charter schools to identify systemic improvement measures  
1.4 to best serve eligible students; appropriating money.

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

1.6 Section 1. **FIVE-YEAR PILOT PROGRAM FOR IDENTIFYING SYSTEMIC**  
1.7 **IMPROVEMENT MEASURES TO BEST SERVE STUDENTS ENROLLED IN**  
1.8 **ALTERNATIVE LEARNING CENTERS AND CHARTER SCHOOLS.**

1.9 Subdivision 1. **Definitions.** (a) The definitions in this subdivision apply to this  
1.10 section.

1.11 (b) "Systemic improvement measures" means methods that yield data and  
1.12 information showing the progress of a well-ordered and repeatable process directed at  
1.13 organizational and student learning; for example, management, services, curriculum,  
1.14 resources, and overall organization.

1.15 (c) "Process" means a linked activity with the purpose of producing a school  
1.16 program, resource, or service for students to support learning.

1.17 (d) "Sustainability" means the ability of the organization to stay current in addressing  
1.18 the educational needs of students and society. Sustainability includes the ability and  
1.19 strategic management to prepare for the future.

1.20 Subd. 2. **Establishment; eligibility.** A five-year pilot program is established to  
1.21 allow alternative learning centers and charter schools to identify systemic improvement  
1.22 measures to best serve eligible students. Interested alternative learning centers and  
1.23 charter schools must serve eligible students under Minnesota Statutes, section 124D.68,  
1.24 subdivision 2, to participate in this program.

2.1        Subd. 3. **Application and selection process.** Interested alternative learning centers  
2.2 and charter schools serving eligible students under Minnesota Statutes, section 124D.68,  
2.3 subdivision 2, may apply to the commissioner of education to participate in this program in  
2.4 the form and manner the commissioner determines, in consultation with the advisory board  
2.5 under subdivision 4, and consistent with this section. The applicant must demonstrate  
2.6 the applicant's interest and ability to implement systemic improvement measures, the  
2.7 sustainability of those measures, and the process the applicant proposes to use to ensure  
2.8 that sustainability. The commissioner, after consulting with the advisory board under  
2.9 subdivision 4, shall select by September 1, 2009, up to a total of 20 program participants.

2.10       Subd. 4. **Advisory board.** A Pilot Program Advisory Board is established to make  
2.11 recommendations to the commissioner about program oversight, including selecting  
2.12 program participants, coordinating program activities, training program participants,  
2.13 managing program budgets, and making periodic program reports to the legislature.  
2.14 The board members include: four Minnesota Association of Alternative Programs  
2.15 members selected by the Minnesota Association of Alternative Programs; two Minnesota  
2.16 Association of Charter Schools members selected by the Minnesota Association of  
2.17 Charter Schools; two Metropolitan Federation of Alternative Schools members selected  
2.18 by the Metropolitan Federation of Alternative Schools; one Minnesota K-12 Online  
2.19 Learning Alliance member selected by the Minnesota K-12 Online Learning Alliance; two  
2.20 Minnesota Department of Education staff selected by the commissioner of education; two  
2.21 higher education representatives from teacher and administrator training programs selected  
2.22 by the training programs, one of which shall represent Hamline University; one Minnesota  
2.23 Council for Quality member selected by the council; one member of the Minnesota House  
2.24 of Representatives selected by the speaker of the house and one member of the Minnesota  
2.25 House of Representatives selected by the minority leader of the house of representatives;  
2.26 and one state senator selected by the majority leader of the senate and one state senator  
2.27 selected by the minority leader of the senate. Advisory board members' terms and other  
2.28 board matters are subject to Minnesota Statutes, section 15.059. The commissioner may  
2.29 reimburse board members from the Department of Education's current operating budget  
2.30 but may not compensate board members for board activities. The Minnesota Association  
2.31 of Alternative Programs president, or the president's designee, must convene the first  
2.32 advisory board meeting before September 1, 2009. Advisory board members are expected  
2.33 to meet at least one time per month. The advisory board expires on March 1, 2015.

2.34       Subd. 5. **Annual reports; evaluation.** (a) The commissioner, after consulting with  
2.35 the advisory board under subdivision 4, annually must submit to the education policy  
2.36 and finance committees of the legislature no later than February 1 of the proximate

3.1 school year, a longitudinal report detailing the efforts and success of program participants  
3.2 to implement systemic improvement measures to best serve eligible students under  
3.3 Minnesota Statutes, section 124D.68, subdivision 2.

3.4 (b) The commissioner must contract with a qualified expert at the University of  
3.5 Minnesota College of Education and Human Development to evaluate and report on short-  
3.6 and long-term program efficacy throughout the term of the program. The commissioner  
3.7 must immediately convey the expert's reports to the education policy and finance  
3.8 committees of the legislature upon receipt.

3.9 Subd. 6. **Waivers.** (a) Consistent with the substance of the applications submitted by  
3.10 program participants, the commissioner of education must petition the federal Department  
3.11 of Education for waivers from No Child Left Behind requirements to allow program  
3.12 participants to use alternative forms of assessment. Also consistent with the substance of  
3.13 the applications submitted by program participants, the commissioner must waive those  
3.14 state education rules that interfere with the ability of program participants to implement  
3.15 systemic improvement measures.

3.16 (b) Notwithstanding Minnesota Statutes, section 120A.41, or other law to the  
3.17 contrary, program participants must allocate five days of student instruction for staff  
3.18 development in systemic improvement measures.

3.19 **EFFECTIVE DATE.** This section is effective for the 2009-2010 through 2013-2014  
3.20 school years.

3.21 **Sec. 2. APPROPRIATION.**

3.22 \$..... is appropriated from the general fund in fiscal year 2010 to the commissioner  
3.23 of education for purposes of section 1 and is contingent upon a program participant  
3.24 obtaining a dollar-for-dollar nonstate match. The commissioner must allocate the  
3.25 appropriation on a per-student basis to eligible program participants for costs related  
3.26 to participating in the program.