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State of Minnesota

HOUSE OF REPRESENTATIVES

NINETY-THIRD SESSION

H. F. No. 3149

03/27/2023 Authored by Bakeberg, Mueller, Bennett, Altendorf and Myers
The bill was read for the first time and referred to the Committee on Education Policy

1.1 A bill for an act
1.2 relating to education; providing for education innovation; modifying innovation
1.3 zone provisions; modifying P-TECH approval process; codifying a new chapter
1.4 of statutes; amending Minnesota Statutes 2022, sections 124D.085; 124D.093,
1.5 subdivisions 3, 4; Laws 2017, First Special Session chapter 5, article 2, section
1.6 52; repealing Laws 2017, First Special Session chapter 5, article 2, section 52,
1.7 subdivision 3.

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

1.9 Section 1. Minnesota Statutes 2022, section 124D.085, is amended to read:

1.10 124D.085 EXPERIENTIAL AND APPLIED LEARNING OPPORTUNITIES FOR
1.11 STUDENTS.

1.12 (a) To strengthen the alignment between career and college ready curriculum and state
1.13 and local academic standards and increase students' opportunities for participating in applied
1.14 and experiential learning in a nontraditional setting, school districts are encouraged to
1.15 provide programs such as:

- 1.16 (1) magnet schools;
1.17 (2) language immersion programs;
1.18 (3) project-based learning;
1.19 (4) accelerated learning;
1.20 (5) college prep schools;
1.21 (6) career and technical education;
1.22 (7) Montessori schools;

2.1 (8) military schools;

2.2 (9) work-based schools; and

2.3 (10) place-based learning.

2.4 (b) Districts may provide such programs independently or in cooperation with other  
 2.5 districts, at a school single site, for particular grades, or throughout the district. In addition  
 2.6 to meeting the other accountability measures under chapter 120B, districts may declare that  
 2.7 a student meets or exceeds specific academic standards required for graduation under the  
 2.8 rigorous course of study waiver in section 120B.021, subdivision 1a, where appropriate.

2.9 ~~(b)~~ (c) The board of a district that chooses to participate must publicly adopt and review  
 2.10 a plan for providing a program under this section. The plan must: define the program and  
 2.11 its structure; describe the enrollment process; identify measures and processes for regularly  
 2.12 assessing, evaluating, and publicly reporting on program efficacy and use summary data to  
 2.13 show student progress and outcomes; and establish a data-informed public process for  
 2.14 modifying and revising the plan as needed. A district must publish its plan contents and  
 2.15 evaluation outcomes on the district website.

2.16 ~~(c)~~ (d) For purposes of further integrating experiential and applied learning into career  
 2.17 and college ready curricula, the commissioner may request program information from  
 2.18 providing districts under this section, but is not authorized to approve or deny any school  
 2.19 board-adopted program provided under this section.

2.20 Sec. 2. Minnesota Statutes 2022, section 124D.093, subdivision 3, is amended to read:

2.21 Subd. 3. **Application Board approval process.** ~~The commissioner must determine the~~  
 2.22 ~~form and manner of application for a school to be designated a P-TECH school. The~~  
 2.23 ~~application school board plan for adopting a P-TECH program must contain at least the~~  
 2.24 following information:

2.25 (1) the written agreement between a public school, a higher education institution under  
 2.26 section 124D.09, subdivision 3, paragraph (a), and a business partner to jointly develop and  
 2.27 support a P-TECH school;

2.28 (2) a proposed school design consistent with subdivisions 1 and 2;

2.29 (3) a description of how the P-TECH school supports the needs of the economic  
 2.30 development region in which the P-TECH school is to be located;

2.31 (4) a description of the facilities to be used by the P-TECH school;

3.1 (5) a description of proposed budgets, curriculum, transportation plans, and other  
 3.2 operating procedures for the P-TECH school;

3.3 (6) the process by which students will be enrolled in the P-TECH school;

3.4 (7) the qualifications required for individuals employed in the P-TECH school; and

3.5 (8) any additional information that the ~~commissioner requires~~ board determines is  
 3.6 appropriate.

3.7 Sec. 3. Minnesota Statutes 2022, section 124D.093, subdivision 4, is amended to read:

3.8 Subd. 4. **Grant approval process.** (a) When an appropriation is available, the  
 3.9 commissioner of education must appoint an advisory committee to review the applications  
 3.10 and to recommend approval for those applications that meet the requirements of this section.  
 3.11 The commissioner of education has final authority over application approvals.

3.12 (b) To the extent practicable, the commissioner must ensure an equitable geographic  
 3.13 distribution of approved P-TECH schools.

3.14 (c) The commissioner must first begin approving applications for a P-TECH school  
 3.15 enrolling students in the 2020-2021 school year or later.

3.16 (d) Nothing in this subdivision should be construed to give the commissioner the authority  
 3.17 to approve or deny a locally adopted P-TECH plan.

3.18 Sec. 4. Laws 2017, First Special Session chapter 5, article 2, section 52, is amended to  
 3.19 read:

3.20 Sec. 52. **EDUCATION INNOVATION RESEARCH ZONES PILOT PROGRAM.**

3.21 Subdivision 1. **Establishment; requirements for participation; ~~research~~ innovation**  
 3.22 **zone plans.** (a) The innovation ~~research~~ zone ~~pilot~~ program is established to improve student  
 3.23 and school outcomes consistent with the world's best workforce requirements under  
 3.24 Minnesota Statutes, section 120B.11. Innovation zone partnerships allow school districts  
 3.25 and charter schools to research and implement innovative education programming models  
 3.26 designed to better prepare students for the world of the 21st century.

3.27 (b) One or more school districts or charter schools may join together to form an innovation  
 3.28 zone partnership. The partnership may include other nonschool partners, including  
 3.29 postsecondary institutions, other units of local government, nonprofit organizations, and  
 3.30 for-profit organizations. An innovation zone plan must be collaboratively developed in  
 3.31 concert with the school's instructional staff.

4.1 (c) An innovation ~~research~~ zone partnership ~~must research and~~ may implement innovative  
 4.2 education programs and models that ~~are based on proposed hypotheses. An innovation zone~~  
 4.3 ~~plan may include an emerging practice not yet supported by peer-reviewed research.~~

4.4 ~~Examples of innovation zone research~~ may include, but are not limited to:

4.5 (1) personalized learning, allowing students to excel at their own pace and according to  
 4.6 their interests, aspirations, and unique needs;

4.7 (2) the use of competency outcomes rather than seat time and course completion to fulfill  
 4.8 standards, credits, and other graduation requirements;

4.9 (3) multidisciplinary, real-world, inquiry-based, and student-directed models designed  
 4.10 to make learning more engaging and relevant, including documenting and validating learning  
 4.11 that takes place beyond the school day and school walls;

4.12 (4) models of instruction designed to close the achievement gap, including new models  
 4.13 for age three to grade 3 models, English as a second language models, early identification  
 4.14 and prevention of mental health issues, and others;

4.15 (5) new partnerships between secondary schools and postsecondary institutions,  
 4.16 employers, or career training institutions enabling students to complete industry certifications,  
 4.17 postsecondary education credits, and other credentials;

4.18 (6) new methods of collaborative leadership including the expansion of schools where  
 4.19 teachers have larger professional roles;

4.20 (7) new ways to enhance parental and community involvement in learning;

4.21 (8) new models of professional development for educators, including embedded  
 4.22 professional development; ~~or~~

4.23 (9) new models in other areas such as whole child instruction, social-emotional skill  
 4.24 development, technology-based or blended learning, parent and community involvement,  
 4.25 professional development and mentoring, and models that increase the return on investment;

4.26 (10) new models of evaluation, assessment, and accountability using multiple indicators,  
 4.27 including models that demonstrate alternative ways to validate a student's academic  
 4.28 attainment that have predictive validity to the state tests, and also include other variables  
 4.29 such as problem solving, creativity, analytical thinking, collaboration, respecting others,  
 4.30 global understanding, postgraduation student performance, and other information;

4.31 (11) improving teacher and principal mentoring and evaluation;

5.1 (12) granting a high school diploma to a student who meets the graduation requirements  
 5.2 under Minnesota Statutes, section 120B.02, subdivision 2, while providing the student  
 5.3 opportunities to:

5.4 (i) attain postsecondary credits or degrees through advanced placement, international  
 5.5 baccalaureate, or concurrent enrollment courses; or

5.6 (ii) participate in career and industrial certification programs, including apprenticeship  
 5.7 programs;

5.8 (13) the use of the provisions in Minnesota Statutes, sections 124D.085, governing  
 5.9 experiential and applied learning opportunities; 124D.52, subdivision 9, governing standard  
 5.10 adult high school diploma requirements; and 126C.05, subdivision 15, paragraph (b), item  
 5.11 (i), governing the use of independent study;

5.12 (14) the use of the provisions of a learning year in Minnesota Statutes, section 124D.128,  
 5.13 for a student in grade 10, 11, or 12 to participate in career and technical programs after  
 5.14 school, on weekends, and during school breaks, including summers, and be included in the  
 5.15 general education revenue computation. The classes must generate both high school and  
 5.16 postsecondary credit and lead to either a career certification, technical college degree, or  
 5.17 apprenticeship program. A student participating in a learning year may attend school year  
 5.18 round, and the student's continual learning plan must provide for the student to meet the  
 5.19 high school graduation standards no later than the end of the fall semester of grade 12;

5.20 (15) methods to initiate prevention models to reduce student needs for special education  
 5.21 and to reduce teacher time devoted to the required special education documentation; or

5.22 (16) other innovations as determined by the local boards.

5.23 (d) An innovation zone plan submitted to the commissioner of education must describe:

5.24 (1) how the plan will improve student and school outcomes consistent with the world's  
 5.25 best workforce requirements under Minnesota Statutes, section 120B.11;

5.26 (2) the role of each partner in the zone;

5.27 ~~(3) the research methodology used for each proposed action in the plan;~~

5.28 ~~(4)~~ (3) the exemptions from statutes and rules in subdivision 2 that the ~~research~~ innovation  
 5.29 zone partnership will use;

5.30 ~~(5)~~ (4) a description of how teachers and other educational staff from the affected school  
 5.31 sites will be included in the planning and implementation process;

5.32 ~~(6)~~ (5) a detailed description of expected outcomes and graduation standards;

6.1 ~~(7)~~ (6) a timeline for implementing the plan and assessing the outcomes; and

6.2 ~~(8)~~ (7) how results of the plan will be disseminated.

6.3 The governing board for each partner must approve the innovation zone plan.

6.4 (e) Upon unanimous approval of the initial innovation zone partners ~~and approval of the~~  
6.5 ~~commissioner of education~~, the innovation zone partnership may extend membership to  
6.6 other partners. A new partner's membership is effective 30 days after the innovation zone  
6.7 partnership notifies the commissioner of the proposed change in membership ~~unless the~~  
6.8 ~~commissioner disapproves the new partner's membership~~ and updates the plan.

6.9 (f) Notwithstanding any other law to the contrary, a school district or charter school  
6.10 participating in an innovation zone partnership under this section continues to receive all  
6.11 revenue and maintains its taxation authority in the same manner as before its participation  
6.12 in the innovation zone partnership. The innovation zone school district and charter school  
6.13 partners remain organized and governed by their respective school boards with general  
6.14 powers under Minnesota Statutes, chapter 123B or 124E, and remain subject to any  
6.15 employment agreements under Minnesota Statutes, chapters 122A and 179A. School district  
6.16 and charter school employees participating in an innovation zone partnership remain  
6.17 employees of their respective school district or charter school.

6.18 (g) An innovation zone partnership may submit its plan at any time to the commissioner  
6.19 in the form and manner specified by the commissioner. ~~The commissioner must approve~~  
6.20 ~~or reject the plan after reviewing the recommendation of the Innovation Research Zone~~  
6.21 ~~Advisory Panel. An initial innovation zone plan that has been rejected by the commissioner~~  
6.22 ~~may be resubmitted to the commissioner after the innovation zone partnership has modified~~  
6.23 ~~the plan to meet each individually identified objection.~~

6.24 (h) An innovation zone plan must not cause an increase in state aid or levies for partners.

6.25 Subd. 2. **Exemptions from laws and rules.** (a) Notwithstanding any other law to the  
6.26 contrary, an innovation zone partner with ~~an approved~~ a plan filed with the commissioner  
6.27 is exempt from each of the following state education laws and rules specifically identified  
6.28 in its plan:

6.29 (1) any law or rule from which a district-created, site-governed school under Minnesota  
6.30 Statutes, section 123B.045, is exempt;

6.31 (2) any statute or rule from which the commissioner has exempted another district or  
6.32 charter school, as identified in the list published on the Department of Education's ~~Web site~~  
6.33 website under subdivision 4, paragraph (b);

7.1 (3) online learning program approval under Minnesota Statutes, section 124D.095,  
 7.2 subdivision 7, if the school district or charter school offers a course or program online  
 7.3 combined with direct access to a teacher for a portion of that course or program;

7.4 (4) restrictions on extended time revenue under Minnesota Statutes, section 126C.10,  
 7.5 subdivision 2a, for a student who meets the criteria of Minnesota Statutes, section 124D.68,  
 7.6 subdivision 2; and

7.7 (5) any required hours of instruction in any class or subject area for a student who is  
 7.8 meeting all competencies consistent with the graduation standards described in the innovation  
 7.9 zone plan.

7.10 (b) The exemptions under this subdivision must not be construed as exempting an  
 7.11 innovation zone partner from the Minnesota Comprehensive Assessments or as increasing  
 7.12 any state aid or levy.

7.13 Subd. 3. **Innovation Research Zone Advisory Panel.** (a) The commissioner must  
 7.14 establish and convene an Innovation Research Zone Advisory Panel to review all innovation  
 7.15 zone plans submitted for approval.

7.16 (b) The panel must be composed of nine members. One member must be appointed by  
 7.17 each of the following organizations: Educators for Excellence, Education Minnesota,  
 7.18 Minnesota Association of Secondary School Principals, Minnesota Elementary School  
 7.19 Principals' Association, Minnesota Association of School Administrators, Minnesota School  
 7.20 Boards Association, Minnesota Association of Charter Schools, and the Office of Higher  
 7.21 Education. The commissioner must appoint one member with expertise in evaluation and  
 7.22 research.

7.23 Subd. 4. **Role of the commissioner approval.** (a) ~~Upon recommendation of the~~  
 7.24 ~~Innovation Research Zone Advisory Panel, the commissioner may approve up to three~~  
 7.25 ~~innovation zone plans in the seven-county metropolitan area and up to three in greater~~  
 7.26 ~~Minnesota.~~ If an innovation zone partnership fails to implement its innovation zone plan as  
 7.27 described in its application and according to the stated timeline, ~~upon recommendation of~~  
 7.28 ~~the Innovation Research Zone Advisory Panel,~~ the commissioner ~~must~~ may alert the  
 7.29 partnership members and provide the opportunity to remediate. If implementation continues  
 7.30 to fail, the commissioner ~~must~~ may suspend or terminate the innovation zone plan.

7.31 (b) The commissioner must publish a list of the exemptions the commissioner has granted  
 7.32 to a district or charter school on the Department of Education's ~~Web site~~ website by July 1,  
 7.33 2017. The list must be updated annually.

8.1 Subd. 5. **Project evaluation, dissemination, and report to legislature.** Each ~~research~~  
 8.2 innovation zone partnership must submit project data to the commissioner in the form and  
 8.3 ~~manner provided for in the approved application~~ specified by the commissioner. At least  
 8.4 once every two years, the commissioner ~~must~~ may analyze each innovation zone's progress  
 8.5 in realizing the objectives of the innovation zone partnership's plan. To the extent practicable,  
 8.6 and using existing resources, the commissioner ~~must~~ may summarize and categorize  
 8.7 innovation zone plans and submit a report to the legislative committees having jurisdiction  
 8.8 over education by February 1 of each odd-numbered year in accordance with Minnesota  
 8.9 Statutes, section 3.195.

8.10 Sec. 5. **REVISOR INSTRUCTION.**

8.11 (a) The revisor of statutes shall renumber the provisions of Minnesota Statutes and laws  
 8.12 listed in column A to the references listed in column B. The revisor shall also make necessary  
 8.13 cross-reference changes in Minnesota Statutes and Minnesota Rules consistent with the  
 8.14 renumbering in this instruction.

|      | <u>Column A</u>                         | <u>Column B</u> |
|------|---|-----------------|
| 8.15 |   |                 |
| 8.16 | <u>Laws 2017, First Special Session</u> | <u>124F.01</u>  |
| 8.17 | <u>chapter 5, article 2, section 52</u> |                 |
| 8.18 | <u>124D.085</u>                         | <u>124F.02</u>  |
| 8.19 | <u>124D.093</u>                         | <u>124F.03</u>  |
| 8.20 | <u>124D.4535</u>                        | <u>124F.04</u>  |
| 8.21 | <u>124D.46</u>                          | <u>124F.05</u>  |
| 8.22 | <u>124D.47</u>                          | <u>124F.06</u>  |
| 8.23 | <u>124D.48</u>                          | <u>124F.07</u>  |
| 8.24 | <u>124D.49</u>                          | <u>124F.08</u>  |
| 8.25 | <u>124D.50</u>                          | <u>124F.09</u>  |

8.26 (b) This section is intended to be a reorganization of statutes relating to Education  
 8.27 Innovation in Minnesota Statutes, chapter 124F. The changes that have been made are not  
 8.28 intended to change the meaning or prior interpretation of those laws.

8.29 Sec. 6. **REPEALER.**

8.30 Laws 2017, First Special Session chapter 5, article 2, section 52, subdivision 3, is  
 8.31 repealed.



*Laws 2017, First Special Session chapter 5, article 2, section 52, subdivision 3*

Sec. 52. **INNOVATION RESEARCH ZONES PILOT PROGRAM.**

Subd. 3. Innovation Research Zone Advisory Panel. (a) The commissioner must establish and convene an Innovation Research Zone Advisory Panel to review all innovation zone plans submitted for approval.

(b) The panel must be composed of nine members. One member must be appointed by each of the following organizations: Educators for Excellence, Education Minnesota, Minnesota Association of Secondary School Principals, Minnesota Elementary School Principals' Association, Minnesota Association of School Administrators, Minnesota School Boards Association, Minnesota Association of Charter Schools, and the Office of Higher Education. The commissioner must appoint one member with expertise in evaluation and research.