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## HIGHLIGHTS OF STATE EDUCATION POLICIES FROM 1970-2000

The purpose of this section is to provide an overview of state education policies over that past 30 years, a period of time in which governors, legislators, and state agency officials emerged as major players in the shaping of Minnesota's education system.

**The Years Before 1970.** In 1849, the territorial legislature enacted the first law relating to education. It called for "common schools" to be open to all persons between the ages of four and 21. Also, the law required townships to be divided into school districts when they had more than five families. Financial support came from a mixture of local property taxes, fees from liquor licenses, and fines for criminal offenses. After Minnesota became a state in 1858, one of the first acts of the legislature was to call for a state superintendent of public instruction. In 1862, the legislature adopted the "neighborhood plan," establishing the district system of public schools we have today. Many other state-level actions helped shape education from those early years to the end of the 20<sup>th</sup> Century—for example, the first compulsory attendance law in 1885 and major school consolidation legislation in the late 1940s.

Minnesota has a rich, complex education history, but the focus of this brief overview is restricted to the years from 1970 to 2000. The pace of state policymaking accelerated considerably during these years, especially beginning in the mid-1980's, as Minnesota joined other states in responding to the general call for "education reform." The following is an abbreviated history of selected state policies that have shaped education in Minnesota over the last 30 years.

### State Education Policies – The 1970s

**Governor Wendell Anderson (1971-1975)**

**Governor Rudy Perpich (1976-1979)**

**Commissioner Howard Casmey (1970-1981)**

**Curriculum and Instruction.** During the early 1970s, media attention on education and a nationwide call for educational accountability led many states to enact minimum competency testing of students as well as teachers. Minnesota's response featured a mix of broad state-level directives with local discretion, maintaining the traditional local control of schools by school boards and communities. The following are a few major policies that affected school curriculum and instruction:

- **Student Assessment (1971).** The Minnesota Department of Education started the Minnesota Educational Assessment Program (MEAP), which involved the testing of samples of public school students in an effort to determine achievement levels.

- **Learner Outcomes (1972).** The department coordinated task forces of teachers to begin developing “Some Essential Learner Outcomes” (SELOs). These outcomes specified the content matter that would be taught in each subject.
- **PER (1976).** State law mandated that all school districts engage in Planning, Evaluation, and Reporting (PER). A mix of local control and broad state directive, PER became a principal vehicle for school accountability legislation in the 1980s (see below). The PER law was part of a broad compromise stemming from Senator Jerald Anderson’s proposal to consolidate school districts, mostly along county lines. Senator Anderson’s original proposal failed, but the discussion prompted passage of a requirement for regional school planning as well as local district planning, evaluation, and reporting (PER).

**Education Finance: Tax and School Finance Reform (1971).** Major state tax and school finance law changes shifted the bulk of school funding responsibility to the state and reduced disparities in property tax rates. These changes were based on Governor Wendell Anderson’s “Fair School Finance Plan,” a 1971 proposal to the legislature. The state share of total school operating revenues was increased from 43% to 65%. Total state taxes increased by 23%, while property taxes were cut by 15-20%. This reform came shortly after a federal district judge ruled in *Van Duzart v Hatfield* that the Minnesota school finance system made spending per pupil a function of school district wealth and violated the equal protection clause of the 14<sup>th</sup> Amendment to the U.S. Constitution. The 1971 law changes, dubbed the “Minnesota miracle,” established the general school finance mold that has existed since that time.

{Note: Minnesota adopted a school finance “foundation” program in 1957, and it began providing additional funding for districts with high levels of poor families in 1969.}

**Teacher Rights – Collective Bargaining (1971, 1973, 1976).** A new collective bargaining framework for public school teachers and other public employees was established in 1971. A 1973 amendment required all public employees, including teachers, to pay a “fair share” toward support of union activity. In 1976, “fair share” was defined to be no more than 85% of regular membership dues. This framework, the Public Employment Labor Relations Act (PELRA), still governs public employee bargaining arrangements, such as negotiating rules and grievance procedures, for all public employees in the state. {Note: In 1927, a tenure law was enacted for teachers in the three major cities: Minneapolis, St. Paul, and Duluth. Teachers in other school districts were granted “continuing contract” rights in 1937.}

**Student Rights (1974).** Minnesota enacted the Pupil Fair Dismissal Act. The law required that each school board must establish uniform criteria for student dismissal, and it set forth explicit due process procedures that are to be followed before public schools can suspend, exclude, or expel a student.

**School Desegregation (1973, 1978).** State rules, rather than guidelines, were established to bring about racial desegregation of public schools. Minnesota became one of a handful of states to set public policy at the state level for school desegregation. In 1978, rules were amended to specify that segregation occurred any time the minority students in a school building exceeded the percentage of minority students in the entire district by 15%.

**Teacher Certification Governance (1973).** A new commission, separate from the Board of Education and the Department of Education, was established to govern teacher licensure. This later became known as the Board of Teaching, a body appointed by the governor that sets rules for teacher licensure and approves teacher preparation programs. Current law requires that a majority of members must be active teachers.

**Tuition Tax Credits and Deductions (1971, 1976).** A tax credit law was passed in 1971, but declared unconstitutional by the Minnesota Supreme Court (*Minnesota Civil Liberties Union v. State*) in 1974. The tax deduction for educational expenses, including tuition, of parents of children in public and private K-12 schools was increased in 1975. Minnesota has had a dependent education expense deduction since 1955; the U.S. Supreme Court declared the state's deduction constitutional in 1983 (*Mueller v. Allen*).

**Special Education.** State policy is based on court cases and federal law, especially the Education for All Handicapped Children Act (now called Individuals with Disabilities Education Act, or IDEA) of 1975. Federal law defines disabilities, establishes identification procedures and service plans, and gives parents and students special legal rights. Following passage of the 1975 federal mandate (P.L. 94-142), state lawmakers in 1976 passed state laws and called for the State Board of Education and Department of Education to develop rules implementing the federal requirements to provide a free appropriate education to all students with disabilities. Also, the Minnesota Department of Education (MDE), which is now the Department of Children, Families & Learning (CFL), became responsible for monitoring and enforcing special education standards in the state.

At the end of the 1970s, the 1979-80 school year, 9.4% of Minnesota's public and nonpublic school population received special education services. The two most prevalent categories were "learning disabilities" and "speech and language impairments."

{Note: In 1863, a state school for deaf students was established in Faribault. A school for the blind was begun in the same city in 1866. State categorical aid for special classes serving handicapped children began in 1915. Two years later, this special aid was \$100 per child each year. In 1955, lawmakers established a commission to study the needs of handicapped and gifted children and, in 1957, the legislature adopted a broad program of special education in the state. However, this did not result in services for all eligible children.}

**Cooperative Centers for Vocational Education (1974, 1977).** The legislature authorized two or more school districts to form cooperative centers, which would provide vocational and other educational services to students. In 1977, centers were authorized to provide "low-incidence" academic offerings.

{Note: In 1909 and 1911, laws were passed to provide state aid for vocational and prevocational training in agriculture, manual training, and domestic economy. Growth in vocational education was also spurred by passage of the federal Smith-Hughes Act in 1917. In 1945, Area Vocational Technical Schools (later called Area Vocational Technical Institutes, or AVTIs) were authorized. These schools were administered locally by school districts and at

the state level by the State Board of Education, until a merger of public state colleges and universities in the 1990s.}

**Child Abuse Reporting (1975).** Educators, child care workers, and other professionals or their delegates who work in a variety of specified occupations were mandated to report suspected child abuse.

**School Lunch (1977, 1979).** The state began providing 4 cents for each paid school lunch to help schools offer affordable lunches. The rate was raised to 4.9 cents in 1979 and 5.3 cents in 1980. {Note: Beginning with passage of the National School Lunch Act in 1946, the federal government has provided most of the help in reimbursing schools for lunches. Minnesota and other states contribute a smaller portion toward lunch costs. }

**Regional Cooperation – Educational Cooperative Service Units (ECSUs) (1976).** Lawmakers authorized regional educational cooperation through establishment of what became nine ECSUs. Their purpose was to provide educational planning on a regional basis and to assist in meeting the needs of children in participating school districts. These nine organizations are now called “Service Cooperatives,” since they have expanded their services beyond schools (public and nonpublic) to other entities, such as cities and counties. They are formed and supported through voluntary participation of members.

{Note: In the late 1960s, formal school cooperation was bolstered with the formation of six educational research and development councils (ERDCs), funded by federal grants. The ERDC structure was statewide, though they were based on voluntary participation, and involved delivery of media, curriculum consultants, and special education services. Other regional delivery systems began in the 1970s, including computer and technology groups, commonly called Elementary, Secondary, Vocational Regions (ESVs), which processed school district financial data as directed by the state. Also, the seven-county Minneapolis-St. Paul metropolitan area was authorized to establish three intermediate districts to deliver special and vocational education to area students. }

**Community Schools – Community Education.** After Governor Harold LeVander’s conference on “Lighted Schools” in 1969 and formation of the Governor’s Council on Community Schools a year later, lawmakers in 1971 passed legislation to promote the concept of what is now called “community education.” The 1971 law offered \$5,000 reimbursements to school districts that began community schools programs (sixteen districts approved programs immediately after this law was passed.) Also, the law established the position of State Director of Community Schools, making Minnesota the second state to have such an office. In 1973, a new law authorized school districts to levy up to \$1 per capita for community schools. Two years later, state lawmakers provided a 50 cent per capita match to school districts levying at least \$1 for this purpose. The phrase “community schools” was changed to “community education” in 1980 law.

**Public Libraries (1978, 1979).** A 1978 law delineated the Minnesota Department of Education’s responsibilities for public library programs and authorized funding for Regional Library Basic System Support Grants. The following year, lawmakers funded a new

Multicounty Multitype Library Cooperation program, establishing a basic structure for cooperation among all libraries, including those in public schools and academic institutions as well as public libraries. Soon after this law was passed, seven multitype systems encompassed the entire state.

{Note: A general library law was enacted in 1879, authorizing tax-supported public libraries. A state library commission was established in 1899. This commission was placed under the administrative control of the newly created State Board of Education in 1919. In the same year, state law authorized counties to levy for funds to establish and maintain county libraries. Lawmakers appropriated the first state funds for public library services in 1957, and in 1959 groups of neighboring counties were allowed to form regional library organizations.

**Retirement—A Defined Benefit Formula and Increasing Contributions (1969, 1972).**

Prior to 1969, teachers were covered by a “money purchase program,” similar to 401(k) and other defined contribution programs. In 1969, a modified career average defined benefit formula was provided as an option for teachers in the Teachers Retirement Association (TRA) along with other retirement choices, including a variable annuity. The deadline for electing a retirement program option was June 30, 1972. Also, contribution rates were increased from 3% to 3.5% for Coordinated System members (those in both TRA and Social Security) and from 6% to 7% for Basic System members (those in TRA only). At this same time, a separate fund for retirees in TRA and the other statewide pension systems was initiated—a predecessor to the Minnesota Post Retirement Investment Fund.

In 1973, the “High Five Average Salary Program” was enacted into law. Also, contribution rates were raised in 1973 as well as later in the decade. Teachers with teaching service before July 1, 1969, but who did not elect an option in the 1972 election also retained eligibility for the money purchase program. In 1989, the variable annuity program was abolished and most teachers were covered exclusively by the “High Five Average Salary Program.”

{Note: In 1915, the first statewide plan providing retirement benefits for Minnesota public school teachers was established. Duluth, Minneapolis, and St. Paul teacher retirement funds were established in 1910. The 1915 statewide fund was liquidated during the early stages of the Great Depression, but retirees continued to be paid prorated benefits from the state. A successor statewide retirement fund for teachers, now TRA, was established in 1931. Contributions were 5% of salary with a \$100 per year maximum. There were no state or employer contributions until teachers retired and purchased an annuity with their own savings. As annuity payments were made to retirees, the state would make matching payments. In 1957, TRA membership was made mandatory as a condition of employment in Minnesota public schools outside St. Paul, Minneapolis, and Duluth—these “First Class City” school systems already had their own, separate funds, which is still the case today. Teachers were given the option in 1959 of electing Social Security coverage. Those hired in 1960 and later were automatically members of the “Coordinated System,” which includes membership in both TRA or First Class City funds and Social Security.}

## State Education Policies – The 1980s

Governor Al Quie (1980-1982)

Governor Rudy Perpich (1983-1990)

Commissioner Howard Casmey (1970-1981)

Commissioner John Feda (1981-1983)

Commissioner Ruth Randall (1983-1990)

**Curriculum and Instruction.** Governor Rudy Perpich, education leaders in the legislature, Commissioners of Education, and the State Board of Education led efforts in the 1980s to improve teaching and learning. Particularly after the federal government's publication of A Nation at Risk in 1983, numerous laws and rules were adopted to revitalize these central features of public school education. Among the major policies:

- **Minnesota Educational Effectiveness Program (MEEP).** Enacted in 1983, MEEP was originally designed to promote school improvement by encouraging educators to develop schools with the characteristics shown by research to be effective. The Commissioner of Education was directed to develop a statewide plan for instructional effectiveness. This plan was to encourage implementation of school effectiveness strategies based on research findings, develop inservice training models for school staff, integrate developments in technology with classroom instruction models, and develop a statewide network to coordinate and disseminate information from research on instructional effectiveness.
- **Planning, Evaluating, and Reporting (PER).** This program, which was established in 1976 but amended frequently in the 1980s, became the primary means of promoting school accountability. Each school board had to adopt a yearly PER plan that included: 1) curriculum goals; 2) learner outcomes for each subject area; 3) evaluation of student progress; 4) a curriculum review cycle; 5) curriculum and instruction improvement plans; 6) instruction plans that included MEEP (see above) processes and the integration of technology; and 7) a procedure for parent review of the instructional content. In evaluating student progress, districts could use tests from the state's "assessment item bank." But as they became available, they had to use state developed measures – "essential learner outcomes."
- **Increased State Curriculum Requirements (1983).** The legislature directed the Board of Education to adopt new curriculum rules for elementary and secondary education that ensured a minimum comprehensive program for all public school students. The new rules adopted by the board increased the minimum hours of instruction for various subjects.
- **Graduation Standards.** Shortly after adoption of increased "seat-time" requirements, a series of laws and State Board of Education policies gradually led schools away from "input" requirements (e.g., hours of instruction for each subject) toward "outputs" or "outcomes," the results that we expect students to demonstrate. In 1987, the State Board of Education announced their goal to "develop a performance-based education system, including personalized learning plans..." The board was directed by law to adopt broad "learner goals," "essential learner outcomes" (the most important elements to be learned in each subject), and "integrated learner outcomes" (those outcomes to be

integrated throughout various subjects). “**Model learner outcomes**” were to be developed by the state and made available to school districts upon request.

In 1989, the **Office of Educational Leadership** was established in the Department of Education. It was charged with conducting a two-year research project to evaluate an **outcome-based system** of education (ten R &D sites were selected).

- **Class-Size Reduction.** In 1989, lawmakers initiated the Individualized Learning and Development Aid (ILDA), a special aid to lower class sizes in kindergarten and first grade. It was later expanded to the K-3 grades.
- **Minnesota Academic Excellence Foundation (MAEF) Established (1983).** Authorized in law as a nonprofit organization, MAEF promotes academic excellence in Minnesota public schools through a public private partnership. Foundation programs are to include recognition activities and awards for students demonstrating academic excellence, summer institutes for students with special talents, and recognition programs for educators and others who contribute to academic excellence.

**Legislative Commission on Public Education Established (1983).** Consisting of six members from the House of Representatives and six from the Senate, this commission was to study issues relating to elementary and secondary education. Topics for study were to include the following: education policy development and planning; current and alternative education financing formulas; school district organization; current technology and alternative delivery systems; and teacher preparation, certification, salaries, employment policies, and retention. The commission reported annually to the education committees of the legislature, and its recommendations contributed to the development of education policies in the 1980s.

**Vocational Education (1983).** Governance of vocational education was changed when lawmakers established a separate state board to administer postsecondary vocational education. Secondary vocational program administration remained with the K-12 board and department. Since 1945, the State Board of Education and the Department of Education had been responsible for state-level governance of postsecondary vocational education. Locally, school districts continued to administer postsecondary vocational schools.

**Education Finance.** A significant national economic recession in the early 1980s curtailed state revenues available for the governor and legislature to fund education and other programs. Indeed state lawmakers were forced to reduce aid to districts on more than one occasion. But economic recovery and growth during most of the decade produced revenues that were used to increase funding to schools. Among many specific changes in school finance during this decade were the following:

- A Limited English Proficiency (LEP) aid formula was initiated in 1980, replacing a pilot program.
- Teacher training and experience (“T & E”) funding was enacted in 1983. This aid provided additional help for districts employing teachers with high levels of education and experience.

- Direct state payments to teacher retirement funds were discontinued by a 1985 amendment. School districts, provided with teacher retirement aid from the state, became responsible for employer contributions to retirement funds.
- In 1986, “general education revenue” replaced “foundation revenue,” teacher retirement aid, and several smaller categorical aids as the primary formula used to provide general operating funds to schools. Secondary pupil unit weight was reduced from 1.40 to 1.35.

At the end of this decade, the 1989-90 school year, school districts had a total of \$9.9 billion to be used in educating the 733,338 students enrolled in public schools. This translated into \$5,395 per student on the average. Over 52.6% of total school district revenue came from the state, another 43.2% from local sources, and 4.2% from the federal government.

**School Construction – State “Review and Comment” Required (1983).** Lawmakers required school districts to consult with the Department of Education before developing plans to construct or remodel buildings. The law prohibited public school districts from initiating bond referenda or soliciting construction bids for projects in excess of \$400,000 prior to a “review and comment” by the Commissioner of Education. (Prior to establishing these state oversight requirements in statute, State Board of Education rules prescribed standards for public school construction projects.)

**School Choice.** Beginning with major school choice proposals from Governor Rudy Perpich in 1985, lawmakers established several enrollment options for K-12 students. These options, which established Minnesota as a national leader in school choice, include the following:

- **Postsecondary Enrollment Options (1985).** Permits 11<sup>th</sup> and 12 grade students to enroll in postsecondary schools (public or private), with tuition and other costs paid from revenues that would have gone to the high school.
- **Open Enrollment (“Enrollment Options”) (1987, 1988).** Permits public school students to attend any public school district in the state regardless of residence.
- **Graduation Incentives (Formerly High School Graduation Incentives) (1987).** Gives dropouts and “at-risk” students opportunities to seek enrollment in a variety of schools outside their resident district. These specially designed programs, which often operate year-round, include Area Learning Centers as well as public and private alternative programs.
- **Area Learning Centers (1987).** Aimed mainly at “at-risk” youth and dropouts, these centers, which must involve two or more school districts, serve secondary students (ages 12-21) and eligible adults (ages 21 and older) who want to finish high school in alternative settings. Area Learning Centers operate year-round. Nonresidents of a school district where a center is located may attend without permission of the resident district.

**Student Rights.** A 1988 law required the Commissioner of Education to enact rules governing the use of “aversive and deprivation procedures in schools.” In 1989, a state law prohibited corporal punishment in Minnesota’s public schools.

**Teacher Rights.** Court decisions in the early 1980s required involvement of a hearing officer when a school board seeks to fire a teacher. In 1984, the probation period for teachers was



increased from two to three years, meaning that a teacher must work three consecutive years in a district before having continuing contract rights.

**Staff Preparation and Development.** The state, higher education, and local school districts were given new roles in supporting the preparation and development of teachers. Among the new initiatives:

- **Teacher Preparation.** The State Board of Teaching was directed in 1985 to develop basic skills tests that prospective teachers would have to pass to be licensed. The board was also directed by 1980s laws to redesign teacher education programs to implement a research-based, results-oriented curriculum. To promote this redesign process, grants were provided for exemplary teacher education programs and induction models for beginning teachers.
- **Staff Development.** Special funding, first \$10 and later \$15 per pupil unit, was provided for professional development programs administered by school districts.

**Early Childhood Family Education (ECFE).** Based on a long-running pilot program, a statewide ECFE program was authorized in 1984. The aim was to provide parent education classes and involve parents and children (birth to age 5) in experiences that enhance child development. One of the first such programs in the nation, ECFE is operated through school districts' community education programs. A 1990 amendment expanded ECFE for a one-year pilot to include children in grades K-3 and their families.

**Compulsory Instruction Law (1987).** Based on recommendations from a task force composed of representatives of public and nonpublic schools, the legislature enacted a revised compulsory instruction law (a portion of the previous law had been declared unconstitutional by the Minnesota Supreme Court). The revised law provided clearer reporting requirements for nonpublic schools and explicitly authorized home schools, which grew rapidly after enactment of the new law.

**Special Education.** The following are a few of the major state policies and activities that affected special education during this decade:

- In 1984, Minnesota received a federal grant to fund ARISE (Alliance for Renewal in Special Education), an intensive leadership training program for special education directors and related positions. Twenty-four people each year received training over seven years, a total of 168 special education leaders in the state.
- In 1985, Minnesota required that school districts extend special education services to children ages 3 through 5. Federal law was amended a year later to mandate services beginning at age 3 unless states implemented a law to the contrary.
- Minnesota lawmakers in 1987 extended the mandate for special education services to infants, beginning at birth, and toddlers. This state law change enabled Minnesota to receive federal funding under the Handicapped Infants and Toddlers Program, commonly called "Part H" at the time and now called "Part C."
- The Office of Transitions Services and requirements for Community Transitions Interagency Committees (CTICs) were established in 1987 law to address the transition of

students with disabilities from secondary schools. Transition objectives are to be included in students' individual education plans (IEPs).

- State level criteria for eligibility was required by a 1989 state law. The Department of Education formally adopted the new criteria in FY 1992, the 1991-92 school year—prior to this each district determined who would receive special education services.

At the end of the 1980s, 9% of Minnesota's school-age public and nonpublic children (a total of 74,613) were receiving special education services. The three most prevalent categories were: 1) "learning disabilities," 2) "speech and language impairments," and 3) "emotional or behavioral disorders."

**School Site Management – Decision-Making (1987).** School boards were authorized to enter into agreements with school site management teams concerning the governance, management, or control of a school.

**Arts School Established (1985).** Proposed by Governor Rudy Perpich, a special school and statewide resource center for visual, performing, and literary arts was authorized in law. The Minnesota Center for Arts Education (now called the Lola and Rudy Perpich Minnesota Center for Arts Education) began as a state arts high school for selected students in the 1989-90 academic year. It also serves as an arts resource center for all school districts.

**Technology.** Several programs were begun in the 1980s to promote effective application of technology in schools. These included the following: technology demonstration sites; funding for schools to develop technology utilization plans; school staff training programs; courseware evaluation by teams of experts and subsidies to schools buying quality courseware; state volume purchases for schools; state courseware design and development; state assistance in helping schools integrate technology into the curriculum; and state dissemination of information on emerging technology. These various programs were funded for limited periods of time.

**School Lunch and other Nutrition Programs.** During the 1980s, the following policies increased the state's involvement with school food programs:

- **State Match.** State rates for each paid school lunch rose to 7.5 cents in this decade (it was lowered to 6.5 cents as part of a program change in the 1990s). In 1988, the state appropriation for school lunch, including commodity storage and transportation, was specified in law at \$4.62 million per year – the amount necessary to meet the state matching requirement in the federal National School Lunch Act.
- **Minnesota Kindergarten Milk Program (1988).** A new state program began reimbursing schools for milk served to kindergarten students.
- **School Breakfast Required (1989).** The state required that a public school offer breakfasts if the school served at least 40 percent of its school lunches to students qualifying for "free" and "reduced-price" meals. Exemptions were allowed where 25 or fewer students were expected to participate. Funds to support this mandate were derived from federal sources. {Federal funding for school breakfasts began as a pilot program in 1966; the federal program became permanent in 1975.}

**Community Education (1984, 1985, 1987).** A discretionary levy for Early Childhood Family Education (offered as part of many community education programs) was authorized in a 1984 law. A year later, funding was established for Adult Handicapped programs offered through community education. In 1987, school districts were permitted to levy 50 cents per capita to form youth development plans. In the same year, the State Board of Education adopted licensing standards for Community Education Directors.

**Public Libraries.** Following are a few of the major policies initiated in the 1980s that shaped library development in the state.

- **Library Privacy (1980).** Minnesota became one of the first states to enact a law that protects library user privacy. It established as “private data” any record linking the name of a person to an item borrowed or a subject about which information is sought. This privacy law has been expanded since 1980, and is now part of the Minnesota Government Data Practices Act.
- **Automation (1986).** The Commissioner of Education was directed to develop a plan to automate state government libraries. The legislature later funded the plan for state libraries to participate in the library automation system of Minnesota State Colleges and Universities. Since 1987, the department has administered funding for library participation.
- **Reciprocal Borrowing Compact (1986).** This compact allows library users to cross from one regional public library service area to another when borrowing materials.
- **Extension of Access (1987).** Lawmakers required that each county levy for public library services at least the minimum level of local support specified in state law. Also, each county was required to participate in the regional public library system to which it was assigned by the State Board of Education.
- **Library Policy Review (1989).** At the request of the State Board of Education, libraries began a systematic review of their policies. All major state policies for library development were reviewed, and the board implemented many of the recommendations.

**Retirement.** Major changes in retirement law affecting teachers and others in education included the following:

- **“Rule of 85.”** A “rule of 85” early retirement window was enacted in 1984 for TRA and First Class City fund teachers whose age plus years in education equaled 85 or more. During the 32-month eligibility window, 961 Basic System members and 1,417 Coordinated System members retired.
- **Employer Contributions.** A 1986 law change made teacher employer contributions the obligation of each school district. Previously, the employer portion was paid directly from the state.
- **Comprehensive Benefit Improvements.** In 1989, the legislature passed the most comprehensive package of benefit improvements in Minnesota history. A key feature of the package was the establishment of uniformity in benefits for TRA and the other statewide retirement funds as well as the First Class City teacher funds. Formula benefits included early retirement features, such as a “Rule of 90” for those hired before 1989. Those hired after June 30, 1989, also received improved formula multipliers used in

setting benefits, but they are not eligible for the early retirement provisions. Also, the 1989 changes provided vesting in the retirement systems after three years, allowing members to have their contributions in the retirement fund grow with interest until they retire even if they leave their position early.

**School District Organization.** The state enacted numerous measures during the 1980s and 1990's to encourage cooperation among school districts as well as consolidation. Population changes in the state, especially the shift of people from rural areas to larger towns and cities, left many districts with very low enrollments, making it difficult to provide a breadth of course offerings. In the early 1980s Minnesota had 435 school districts, but by the end of the 1990's the state had 351 districts. Among the programs that encouraged increased cooperation and consolidation were the following:

- **Secondary Education Agreements** between school districts and funding for **Interdistrict Cooperation (1983)**.
- **Program Improvement Grants** for groups of districts (1987).
- **Education Districts (1987)**. Groups of school districts were authorized to create Education Districts to increase educational opportunities for students among member districts. State and local funding was provided for these special districts.
- **Cooperation-Combination Program (1989)**. Established procedures for school boards to follow in adopting agreements to provide cooperative secondary instruction for two or more years and to combine into one district after a specified period of time. State and local funding was provided to encourage use of this program.
- **Cooperative Secondary Facilities Grants**. Grants (often from state bond proceeds) were provided in several laws, passed in the 1980s and 1990s, to groups of school districts for construction of secondary facilities.

### **State Education Policies – The 1990s**

**Governor Arnie Carlson (1991-1998)**

**Governor Jesse Ventura (1999-current)**

**Commissioner Tom Nelson (1990-1991)**

**Commissioner Gene Mammenga (1991-1993)**

**Commissioner Linda Powell (1993-1995)**

**Acting/Designate Ann Schluter/Linda Kohl (1995)**

**Commissioner Bruce Johnson (1995-1996)**

**Commissioner Bob Wedl (1996-1999)**

**Commissioner Christine Jax (1999 – current)**

**Curriculum and Instruction – Graduation Standards.** A series of laws and amendments, State Board of Education studies, pilot projects, and numerous rule drafts in this decade led to

final adoption of state Graduation Standards rules. The 1992 law authorizing these new standards called for the rules to be “rigorous” and “results-oriented.”

Rules requiring all public school students to pass basic skills tests in reading and mathematics were adopted in 1996 (effective with the class of 2000), while a writing requirement was finalized a year later (effective for the class of 2001). Rules encompassing the high standards, or the Profile of Learning, with achievement measured by performance assessments, were adopted by the State Board of Education in 1998, affecting public school students beginning with 9<sup>th</sup> graders in 1998-99. Together, these basic and high standards rules replaced the older curriculum requirements that defined specific hours of instruction (“seat-time) in various subject areas. A 1993 law, effective in 1996, repealed many older, input-based rules and statutes.

The 1998 education omnibus law provided over \$70 million for the 1998-99 school year and authorized over \$50 million in the next two years for “graduation standards implementation,” a new component of general education revenue. This new program was repealed a year later. The 1998 law also allowed school districts to seek waivers allowing them to phase-in implementation of certain Profile of Learning requirements, but all districts still had to fully implement the Profile for the 2000-2001 school year.

Considerable controversy arose as Graduation Standards rules were being developed, particularly in the early part of the decade and again as the Profile of Learning requirements were being implemented in the late 1990’s. A bill to repeal the Profile passed the state’s House of Representatives in 1999, but it died in a house-senate conference committee. In the 2000 legislative session, Profile of Learning requirements in statutes and rules were modified to ease implementation; however, the basic nature of the Profile of Learning (high standards) remains. The Profile consists of 11 “learning areas” (technical and vocational education was added by the 2000 amendment), with specific academic standards at different school levels. Schools are to determine achievement through locally developed performance assessments. When fully implemented, students in public high schools will have to complete 24 standards in 11 learning areas. Each student in a primary, intermediate, and middle school will have a record of achievement of standards for those levels.

**Mandate Reduction – Moving from “Inputs” to “Outcomes” (1993).** Directly related to the move toward Graduation Standards, lawmakers called for the phase-out of many state laws and rules that specified how schools must perform their functions (for example, mandating specific minimum course hour requirements). The 1993 law set various effective dates for repeal of these “input mandates,” but most of the major program and personnel licensing mandates were repealed effective August 1996. Both the State Board of Education and the Board of Teaching were directed to replace the expiring, input-related administrator and teacher licensing rules with outcome-based rules related to the results oriented Graduation Standards.

**Planning, Evaluation, and Reporting (PER): Parent Rights and PER Replacement. (1993, 1996).** In 1993, PER was amended to guarantee certain parental rights in accessing instructional materials and, if a parent objects to the content, to have their children offered

alternative instruction. If a parent objects to the alternative provided by the school, they may provide their own. Lawmakers established a new instruction and curriculum process in 1996 to replace the PER statute requirements adopted in the 1970s and amended throughout 1980s. In general, the provisions are quite similar, but the new version is more closely linked with state Graduation Standards. Local goals are still to be developed, as is an evaluation process for student achievement and local reporting. The parental rights provision was also retained.

**Statewide Testing and Accountability (1997).** The major 1997 education package established a statewide testing and reporting system under direction of the CFL Commissioner. A single statewide norm-referenced or criterion-referenced test, or a combination, is to be administered yearly to all students in grades 3, 5, and 8. The Graduation Standards basic skills tests fulfill the 8<sup>th</sup> grade test requirement. Also, the commissioner was directed to develop secondary level tests to assess student performance in all required learning areas and selected required standards within each area of the Profile of Learning.

**Office of Educational Accountability (OEA) (1997).** Funds were provided to CFL for contracting with an institution of higher education to establish an independent office of educational accountability. OEA is now housed at the University of Minnesota.

**Student Achievement Levels to Meet Expectations (1998).** School districts were required to determine if student achievement levels at each school site meet state expectations. If they are not met for two out of three years, the district must work with the site to adopt a plan to raise achievement levels to state expectations (these expectations are to be determined by the legislature, based on recommendations from CFL).

**Report on Expenditures Required (1998).** By January 10 each year, school district superintendents must report to CFL the following: 1) expenditures required to ensure an 80% and a 90% student passage rate on the 8<sup>th</sup> grade basic skills tests; 2) expenditures required to ensure a 99% student passage rate on the basic standards tests taken in 12<sup>th</sup> grade; and 3) how much the district is cross-subsidizing programs with special education, compensatory, and general education revenue.

**Vocational Education (1999).** Secondary vocational categorical aid was repealed effective with the 2000-2001 school year (in 2000, the legislature delayed the repeal by one year). The state has paid a specified amount of approved expenditures for a variety of vocational costs, including salaries and equipment.

{Note: In 1909 and 1911, laws were passed to provide state aid for vocational or prevocational training in agriculture, manual training, and domestic economy. Growth in vocational education also was spurred by passage of the federal Smith-Hughes Act in 1917. In 1945, Area vocational technical schools (later called Area Vocational Technical Institutes, or AVTIs) were authorized. These schools were administered locally by school districts and at the state level by the State Board of Education until the merger of public colleges and universities – see below.}

**Postsecondary Vocational Education Governance.** In 1991, a state law called for the future merger of state universities, community colleges, and technical colleges—formerly called Area Vocational Technical Institutes. Effective in 1995, the merger eliminated a separate board for technical colleges, leaving state level administration for all public higher education except the University of Minnesota under the direction of the Minnesota State Colleges and Universities Board. Locally, technical colleges are no longer administered by school districts.

**Education Finance.** State policy changes and court action in school finance during this decade included the following:

- A 1991 law initiated referendum equalization, to begin in 1993. The same law reduced secondary pupil weight from 1.35 to 1.3. Also, a 1991 district court decision in *Skeen v. State of Minnesota* held that the referendum levy and other parts of the Minnesota education finance system violated the education clause and equal protection guarantees of the state's Constitution.
- A debt service equalization formula was enacted in 1992. This provides state aid to help districts repay bonds issued to finance construction, especially welcome in a district with a low property tax base. {Note: School districts with very low property wealth may find financing construction through conventional bond sales impossible. For many years, the state has provided Maximum Effort School Loans for these districts. Under this program, state borrowed money is loaned to qualifying districts on favorable terms. }
- Additional revenue was provided in 1993 to reduce elementary class sizes—the funding was generated by increasing from 1.0 to 1.03 and eventually to 1.06 the elementary pupil weight. Special education excess cost aid was also begun in 1993 as a means of helping districts experiencing rapid growth in enrollment of students with disabilities.
- In this same year, the Minnesota Supreme Court overturned the district court's ruling in *Skeen*, holding that the current education finance system does not violate the Minnesota Constitution. The majority opinion emphasized the apparent "adequacy" of education financing in Minnesota, where the system meets basic educational needs of all districts. Although the court found no constitutional violation, it did declare that, under our state's constitution, education is a "fundamental right."
- In 1995, lawmakers eliminated some separate funding categories and included them in the general education formula, which gave school districts greater flexibility in determining budget priorities. Pupil transportation, training and experience, and facilities and equipment aids were included in this consolidation of programs into the general education formula.
- St. Paul Public Schools in 1996 filed a lawsuit in Ramsey County District Court. They contended that the state is providing insufficient funding to educate the district's growing population of non-English speaking, poor, minority, and special education students. St. Paul voluntarily dismissed its legal action in 1999.
- A 1997 law calls for training and experience funding (the additional funds aimed at partially compensating districts for employing staff with high levels of experience and training) is to be phased out as teachers leave their districts after the 1996-97 school year.
- The 1999 education omnibus act included several key changes in finance law. Class size reduction, a major proposal from Governor Jesse Ventura, was provided by increasing elementary pupil weights from .53 to .557 for kindergarten and from 1.06 to 1.15 for

grades 1-3. School districts with declining enrollments were helped by changing the manner of counting students to "marginal cost pupil units," defined as 90% of current year and 10% of the prior year enrollments. Referendum equalization was increased from \$350 to \$415 per pupil unit. Equity revenue was provided, which helps school districts with less revenue per student than most other districts.

As the decade ended, over \$7.1 billion was being spent to educate the 853,267 students in public schools. On the average, \$8,382 of school district revenue was available for each student in the 1999-2000 school year (compared with \$5,395 per student in the 1989-90 term). Over 60% of total revenue for schools came from the state, about 35 % from local sources, and a little over 4.7% from federal aids. Adjusted for inflation, school district revenues increased 63.1% from the 1983-84 school year through the 1999-2000 term.

**Charter Schools (1991).** A state law authorized the nation's first charter schools, which were then called "outcome-based" schools. The original law authorized school boards or the State Board of Education to charter up to eight schools. Amendments throughout the 1990's raised the cap several times and finally eliminated it in 1997. Later amendments authorized other entities to charter these special public schools and provided funding for start-up costs and facilities. In the 1999-2000 school year there were 53 operating charter schools, enrolling 7,794 students. As of August 2000, 73 charter schools have been sponsored (seven of these have closed). It is expected that 65 charter schools will be operating in the 2000-2001 school year.

**School Choice – Tax Credits and Deductions.** In addition to the establishment of charter schools, lawmakers and state agency leaders sought other ways in the 1990s to expand student choice. In many instances this involved amending some of the choice program laws enacted in the 1980s, especially through insuring that money follows the student, regardless of location of attendance. For example, the amount of revenue that a school district must reserve for each student attending state approved alternative programs under Graduation Incentives was increased to 90% of the district's average general education revenue.

Responding to a proposal from Governor Arne Carlson, the 1997 legislature, acting in special session, approved substantial increases in tax deductions allowed for K-12 educational expenses. Beginning in 1998, state tax filers were eligible for education deductions of up to \$1,625 for students in K-6 and \$2,500 for those in grades 7-12. Deductible items include private school tuition, textbooks, tutoring, and home computers. Also, a new tax credit for educational expenses was established for families earning less than \$33,500 (later raised to \$37,500). The credit is \$1,000 per child with a \$2,000 limit per family. All items eligible for the educational deduction are permitted for the credit except private school tuition.

{Note: A pilot school voucher proposal from Governor Arne Carlson failed to pass the 1996 legislature.}

**Residential Academies (1998).** Based on a proposal from Governor Arne Carlson, the legislature funded the establishment of Residential Academies for students in grades 4 through 12. Grants are awarded to public organizations or a collaborative of public and private



organizations for capital and startup costs. The aim is to provide residential educational programs for those performing or at risk of performing below their expected academic levels or those who have experienced homelessness or an unstable home environment.

**Teacher Rights.** In 1990, lawmakers removed superintendents from continuing contract protections. Binding arbitration to settle disputes over local board actions to fire teachers was required by a 1991 amendment.

**School Desegregation.** During the 1990s, the issue of desegregation once again prompted state action and a major battle in the courts. Among the significant policies developed in this decade were the following:

- **New Policies, Programs, and Funding (1994).** State laws provided new programs and funding to promote greater integration in schools, especially in Minneapolis and St. Paul. Among these new policies, the State Board of Education was directed to revise its rules on desegregation and educational diversity; a new Office of Desegregation-Integration was established in Minnesota Department of Education; and \$20 million was allocated from state bonds to fund Metropolitan Magnet School Grants.
- **Integration Revenue (1997).** Lawmakers established a new Integration Revenue Program by combining operating and transportation funds available to school districts in a single block grant. The law specified amounts for the three major cities: Minneapolis, \$523 per pupil; St. Paul, \$427; and Duluth, \$193. Also, for the first time, funding was provided to any other school district (up to \$93 per pupil unit) for implementing desegregation programs.
- **New Rules.** Shifting school demographics as well as changes in case-law and statutory law (which made racial quotas as a means of achieving integration highly questionable) prompted the state to adopt a new rule to replace the one in effect since 1973 (see above). The new desegregation rule, adopted in 1999, provides different approaches to “racial isolation” depending on the cause. It also requires school districts that are unintentionally “racially isolated” to collaborate with neighboring districts to provide opportunities for students to receive integrated education. A “racially isolated” school district is one where district-wide enrollment of “protected students” exceeds the enrollment of “protected students” of any adjoining district by more than 20 %--eight districts met that definition in 1999. The new rule also requires any school that is “racially identifiable” (one where enrollment of “protected students” is more than 20 % above that of the entire district for the grade levels served) to provide more interracial learning options.
- **NAACP Lawsuit.** A lawsuit also played a significant role in the development of desegregation policies during this decade. In 1995, the Minneapolis branch of the NAACP filed suit in Hennepin County District Court accusing state officials of violating the state’s constitutional guarantees of a general and uniform system of education (Article XIII, Section 1) and the equal protection clause (Article 1, Section 2). It was contended that the plaintiff students in Minneapolis were confined to schools segregated on the basis of race and socioeconomic status, resulting in separate and unequal schools providing an inadequate education. Five years later, March 2000, a settlement was reached. The settlement establishes a four-year program that provides more choices inside and outside the Minneapolis school district, makes information about schools more accessible to families,

and ensures that the district takes steps to improve student achievement. Specific points of this settlement agreement include the following:

1. Eight school districts near Minneapolis will make at least 500 seats available to low-income students each year for four years. The state will pay busing costs.
2. CFL will issue a "report card" for each school, using 23 of the 33 factors the district has to evaluate its schools. Minneapolis will begin a process to close and restart a school failing to achieve a certain score.
3. Audits will be done at those schools most in need of improvement
4. Minneapolis will reserve up to 50% of its slots in magnet programs for low-income students who choose them.

The eight suburban school districts are part of the West Metro Education Program (WMEP), a voluntary desegregation entity governed by a joint powers board that includes a superintendent and school board member from each district.

**Special Education.** Major state policies and other events affecting special education during the 1990s include the following:

- In 1990, President Bush signed the Americans with Disabilities Act (ADA) into law. ADA ensures the civil rights of all children and adults with disabilities.
- The Minnesota Department of Education received a five year federal Transition from School to Work Systems Change Grant in 1990. The grant funded efforts to help students with disabilities make the transition from secondary to post secondary services. Project Invest was developed as a trainers of trainers model to assist school district staff in implementing transition services.
- In 1995, Minnesota was monitored by the federal Office of Special Education. Corrective actions included development of plans to implement transition requirements in IDEA.
- A new state special education funding formula was enacted in 1995. It included a gradual elimination of state-authorized local property tax support for special education, with the local levy replaced by state aid. The local tax levy was ended in the 1999-2000 school year.
- In January 1997, the state's Office of the Legislative Auditor released a major study of special education in the state. Among findings from the study: Minnesota makes special education available to a broader population than is required by federal law; in FY 1995, our state's percentage of special education students was slightly lower than the nation as a whole; and between 1988 and 1995, spending for special education increased by 22% in constant dollars while total education spending increased by 11%.
- Minnesota passed the Interagency Services for Children with Disabilities Act in 1998, which calls for a coordinated, multidisciplinary, interagency intervention system for children and youth, ages 3 to 22, with disabilities. Timelines require coordinated services across agencies for those up to age 9 by July 1, 2001, up to age 14 by 2002, and up to age 21 by 2003.
- A 1998 law required that state special education requirements shall not exceed federal mandates, effective July 1, 1999. After the 1998 session, a study was conducted by key legislators, special education advocates, school district staff, and CFL experts. Acting on recommendations from the study, the 1999 legislature opted to continue state mandates

that exceed federal requirements in a few areas—e.g., full services for students in nonpublic schools, community transition interagency committees (CTICs), and services from birth. Other state-only mandates were eliminated – e.g., the maximum age for receiving special education services was lowered from age 22 to 21.

- Based on recommendations from Governor Ventura, the legislature in 1999 provided additional special education funding in an effort to reduce the cross-subsidization of school district special education programs with general fund money. (A CFL study found that, in the 1997-98 school year, districts spent over \$840 million for special education services, but received only \$540 million in special education categorical revenue.) Additional funds were added in the 2000 legislative session, which will reduce but not eliminate the need for cross-subsidization.
- CFL received a \$5 million federal grant in June 2000. Seventy-five percent of the grant will be used for school district staff development aimed at improving coordination between general and special education and between agencies. Funds will also be used in building district staffing capacity (e.g., addressing the special education teacher shortage).

At the end of the 1990s, Minnesota's public schools were providing special education services to about 106,000 children and youth, from birth to age 22, or 10.5% of the state's public and nonpublic students.

**Encouraging Site Decision-Making.** Throughout this decade, legislators have enacted laws to encourage more education decision-making at each school site. For example, lawmakers amended the original "school site management" authorization (passed in 1987—see above), renaming it "school site decision making" (1993), required school boards to act on requests to form site decision teams (1991), required approved agreements as well as reasons for denial to be filed with the commissioner, and specified what may be included in such a plan (1993). In addition, a 1997 law required that all compensatory education revenue must be allocated to each school site where children generating the revenue are served. Each site is then to authorize its school site decision-making team, if it has one, to recommend how the revenue is to be used. Other efforts to encourage more school-level decision-making include a 1993 amendment requiring that 50% of staff development reserve revenue must go to each school site on a per teacher basis, while 25% must be used for grants to school sites.

**Staff Preparation and Development.** Led by key legislators, Governors Perpich and Carlson, and the Board of Teaching, several changes affected policies related to educator preparation and development. Among these changes:

- **Alternative Licensure (1990).** Based on a proposal from Governor Perpich, the legislature enacted an alternative preparation for teacher licensing program. This provides an alternative path to licensing for people with certain academic and experiential background. A 1991 law established an alternative licensure program for administrators.
- **New Licensure Rules (1999).** Based on state laws passed beginning in the 1980's, which generally called for a redesign of teacher preparation, the Board of Teaching adopted new licensing standards for the various fields of teaching and for approving college teacher preparation programs. Also, the board proposed new rules in the following areas: continuing education; teacher examinations, which will now include general pedagogical

knowledge and licensure-specific teaching skills as well as the existing basic skills test; and procedural rules, including variances. Formal adoption of these rules should occur in 2000, with a later effective date for some.

- **Staff Development.** A 1991 amendment to the staff development program provided by school districts restricted use of funds to two purposes: outcome-based education and peer review. A 1992 amendment raised the amount to be spent on staff development from \$10 to \$15 per pupil unit and eliminated the restricted uses. The mandated reserve for staff development was ended in 1995 but reinstated in 1998 at 1% of basic revenue per pupil unit – \$35.10. (In the 2000 session, the mandated reserve was raised to 2% of basic revenue.)
- **Peer Review for Teachers (1991, 1992, 1993).** A 1991 law required peer review committees in all public schools. These teacher-committees were to evaluate “probationary teachers” and “continuing contract” (tenured) teachers. Lawmakers repealed this mandate before it became effective, but they also required that, beginning July 1, 1995, each school board and school district bargaining unit must develop a peer review process through joint agreement.

**Children, Families & Learning Established (1995).** Based on a proposal from Governor Arne Carlson and with strong support from key legislators, a new Department of Children, Families & Learning was established. The new agency, which officially began operations October 1, 1995, includes a variety of child and youth-related functions from other agencies as well as the pre-kindergarten-12<sup>th</sup> grade programs in the old Department of Education.

**Board of Education Terminated (1998).** Lawmakers repealed authorization for the State Board of Education, effective December 31, 1999. Most board duties, including rulemaking, were transferred to the Commissioner of Children, Families & Learning. Minnesota had a State Board of Education since 1919.

**Early Childhood.** Led by key legislators, several initiatives were proposed in the 1990’s to focus resources on pre-school children. Among those that became law:

- **Early Childhood Family Education (ECFE).** Established in the 1980s (see above), ECFE was expanded through grants to include children in grades K-3 and their families in 1990, but ended a year later. Also, a home visiting program was added in 1994, supported through local tax levies only at this time. Prompted by heightened interest in research on early brain development, lawmakers provided one-time funding of \$2 million in 1997 for ECFE Infant Development Grants.
- **Early Childhood Developmental Screening (1991).** A new law substantially expanded what had been primarily a health-screening program for four-year old children. The new program requires parents to have their four-year old children screened before they are enrolled in public school kindergarten or first grade. Screening focuses on development, vision, and hearing. It also includes parent interviews and referrals for identified needs. Parents have the option of accessing the screening at public schools or through a health care provider.
- **Learning Readiness (1991).** School districts were authorized to establish learning readiness programs for four-year old children who have not entered kindergarten. Highest

priority is given to children identified as developmentally disadvantaged or experiencing risk factors that could impede learning.

- **Way to Grow-School Readiness (1989).** State grants were provided to promote intellectual, social, emotional, and physical development and school readiness of children up to age six. Funding was continued during the 1990s.
- **First Grade Preparedness (1996).** A new program began for selected schools in low-income areas to provide school readiness services to four and five year-old children. Qualifying school sites may use revenue for full-day kindergarten or for half-day programs for four-year olds.

**Child Abuse Reporting (1999).** An amendment to this law makes CFL responsible for assessing or investigating allegations of child maltreatment in public schools as well as certain other facilities, including day care and residential facilities.

**Technology.** State policymaking and funding accelerated in the 1990s as schools struggled to adapt new technology into their programs. Among major developments were the following:

- Instructional Transformation through Technology Grants were provided in 1994 to help school districts collaborate in developing individualized learning and to manage information through technology. Also, the 1994 education act provided an additional \$3 per pupil unit for purchasing or leasing telecommunications equipment for integrated management information systems.
- The 1995 education omnibus act included a variety of grants and formula funding increases totaling over \$26 million for the two-year budget period. Among these were the following: Telecommunications Access Grants (TAG); Instructional Transformation Technology Grants; "InforMNS" Grants (which helped provide Internet access); Interactive Television (ITV) revenue for districts outside the twin cities metropolitan area; increases in the Capital Equipment Formula; and an expansion of the Statewide Telecommunications Access Routing System.
- In 1996, lawmakers added another \$11.9 million for various technology projects, including TAG.
- The 1997 education omnibus act included over \$89 million for continuation of some of the grant programs funded in 1995 and some new projects, such as a program to refurbish computers donated by businesses to schools and a Learning Academy, which was to provide standards and training opportunities for educators and librarians.
- TAG was funded with another \$5 million in 1999 law and its repeal was delayed until July 1, 2001. The 1999 law also called for the phase-out of ITV revenue after FY 2002.
- In 2000, the legislature turned from the traditional grant approach to a new categorical aid for telecommunications access. The Telecommunications Access Revenue program will provide over \$19 million for both public and nonpublic schools in the 2000-2001 school year. This new program is to help schools access high speed telecommunications.

**After-School Enrichment Programs (1996).** Lawmakers set aside funds to provide facilities and programs for "after-school" and "non-school hour" activities.

**School Lunch and other Nutrition Programs.** Following are some of the significant state policies affecting school food programs in the 1990s:

- In 1991, school lunch aid was expanded to include “free” and “reduced-price” lunches as well as “paid” lunches. At the same time, the state aid for each lunch was lowered to 6.5 cents and remained at that level throughout the 1990s.
- In 1993, the state began paying 5.1 cents for most school breakfasts to help provide affordable morning nutrition. A year later, state law expanded the breakfast requirement (passed in the 1980s) by requiring a public school that served at least 33% of its school lunches to students qualifying for “free” or “reduced price” meals to offer a breakfast program. An additional payment of 10.5 cents was provided for those schools that were now required to provide breakfast but did not qualify for the federal breakfast program’s “severe need” reimbursement.
- The Universal Breakfast Pilot (1994), 1995) and the Targeted Breakfast Program (1997) funded schools offering breakfast to all students at no charge. These programs were funded at a limited number of schools over a four-year period.
- A Fast Break to Learning Grant program was enacted in 1999 law to help selected schools offer breakfasts at little or no charge. The grant is to cover 75% of the total cost, with the school providing the remaining 25% from local, nonpublic funds. Priority for grants is given to schools with the highest number of students qualifying for “free” and “reduced-price” school meals.

**Collaboration-Education and Family Services (1993, 1995).** Education and human services laws provided grant money to promote family service collaboration among local county, public health, and school district governmental units. Community-based collaboratives are to involve parents, students, clergy, businesses, and local government units in addressing the various needs of children and youth. Also, local collaboratives were charged with developing integrated funds, combining revenue from federal, state, and local sources.

**Public Libraries.** A 1991 law authorized a city and a school district to jointly appoint a library board and operate a single facility that meets specified standards. In 1994, funds from state bond proceeds were allocated for library construction, including matching grants to remove architectural barriers for people with disabilities. The State Board of Education in 1999 affirmed a process for reviewing regional public library system affiliation changes.

An issue raised in the legislature during the late 1990s resulted in a 2000 law that restricts Internet access in public libraries as well as schools. This law requires that, “...all public library computers with access to the Internet available for use by children under the age of 17 must be equipped to restrict, including by use of available software filtering technology or other effective methods, all access by children to material that is reasonably believed to be obscene or child pornography or material harmful to minors under federal or state law.” A similar provision in the same session law applies to computers in schools.

Throughout the decade of the 1990s, high speed telecommunications access for all types of libraries and schools became a high priority for various grant programs authorized in law.

**Retirement.** In 1993, an retirement incentive was enacted in law, enabling 2,000 teachers to retire by July 29, 1993. Further pension legislation passed in 1994, when an increase in the employee contribution rates supported an increase in the formula benefit percentage. In addition, the “Rule of 90” was made a permanent provision for TRA members first hired prior to July 1, 1989. Major pension legislation in 1997 reduced employee contribution rates, increased the formula benefit percentage, and provided a permanent increase to the base benefit of all public school teacher retirees as of July 1, 1997. In the same year, the TRA fund achieved full funding status for the first time in its history.

**School District Organization—Fewer Districts, More Options.** During the 1999-2000 school year, there were 351 public school districts, a substantial reduction from the 435 operating in the early 1980s (in the early part of the 20<sup>th</sup> Century there were about 8,000 school districts, and as late as the 1940s the state still had over 7,000). Minnesota continued to offer incentives for small, mostly rural districts to combine operations. Among these:

- **Consolidation-Transition Revenue (1994).** Provided aid to school districts that agreed to consolidate and were not receiving Cooperation-Combination revenue (see above).
- **Cooperative Secondary Facilities Grants.** Continuing the policy of the late 1980s, state grants were provided to groups of school districts for construction of secondary school facilities.

Although the number of school districts has been reduced by consolidations to 351 at the end of the 1990s (down to 347 as the 2000-2001 term begins) students have other options for completing K-12 school. For example, in the 1999-2000 term there were 53 operating charter schools that enrolled 7,794 students; 104,159 were enrolled part-time or full-time in the 103 state approved alternative programs; 3,971 were enrolled in private alternative programs, under contracts with public schools; and about 7,100 attended college through Post Secondary Enrollment Options and another 9,500 attended “College in the Schools” programs.

Total public pre-kindergarten through 12<sup>th</sup> grade school enrollment in the 1999-2000 school year was 853,267. Minnesota’s nonpublic schools enrolled another 103,040 students (including 14,663 in home schools).