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State of Minnesota
HOUSE OF REPRESENTATIVES

EIGHTY-NINTH SESSION

H. F. No. 1839

03/12/2015 Authored by Wills, Erickson, Mariani and Selcer

The bill was read for the first time and referred to the Committee on Education Innovation Policy

1.1 A bill for an act
1.2 relating to education; confirming how statewide testing requirements apply to
1.3 nonpublic and home school students and out-of-state students transferring into
1.4 Minnesota public schools; amending Minnesota Statutes 2014, section 120B.30,
1.5 subdivision 1.

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

1.7 Section 1. Minnesota Statutes 2014, section 120B.30, subdivision 1, is amended to read:

1.8 Subdivision 1. **Statewide testing.** (a) The commissioner, with advice from experts
1.9 with appropriate technical qualifications and experience and stakeholders, consistent
1.10 with subdivision 1a, shall include in the comprehensive assessment system, for each
1.11 grade level to be tested, state-constructed tests developed as computer-adaptive reading
1.12 and mathematics assessments for students that are aligned with the state's required
1.13 academic standards under section 120B.021, include multiple choice questions, and are
1.14 administered annually to all students in grades 3 through 7. Reading and mathematics
1.15 assessments for all students in grade 8 must be aligned with the state's required reading and
1.16 mathematics standards, be administered annually, and include multiple choice questions.
1.17 State-developed high school tests aligned with the state's required academic standards
1.18 under section 120B.021 and administered to all high school students in a subject other than
1.19 writing must include multiple choice questions. The commissioner shall establish one or
1.20 more months during which schools shall administer the tests to students each school year.

1.21 (1) Students enrolled in grade 8 through the 2009-2010 school year are eligible
1.22 to be assessed under (i) the graduation-required assessment for diploma in reading,
1.23 mathematics, or writing under Minnesota Statutes 2012, section 120B.30, subdivision 1,
1.24 paragraphs (c), clauses (1) and (2), and (d), (ii) the WorkKeys job skills assessment, (iii)

2.1 the Compass college placement test, (iv) the ACT assessment for college admission, or (v)
2.2 a nationally recognized armed services vocational aptitude test.

2.3 (2) Students enrolled in grade 8 in the 2010-2011 or 2011-2012 school year are
2.4 eligible to be assessed under (i) the graduation-required assessment for diploma in reading,
2.5 mathematics, or writing under Minnesota Statutes 2012, section 120B.30, subdivision
2.6 1, paragraph (c), clauses (1) and (2), (ii) the WorkKeys job skills assessment, (iii) the
2.7 Compass college placement test, (iv) the ACT assessment for college admission, or (v) a
2.8 nationally recognized armed services vocational aptitude test.

2.9 (3) For students under clause (1) or (2), a school district may substitute a score from
2.10 an alternative, equivalent assessment to satisfy the requirements of this paragraph.

2.11 (b) The state assessment system must be aligned to the most recent revision of
2.12 academic standards as described in section 120B.023 in the following manner:

2.13 (1) mathematics;

2.14 (i) grades 3 through 8 beginning in the 2010-2011 school year; and

2.15 (ii) high school level beginning in the 2013-2014 school year;

2.16 (2) science; grades 5 and 8 and at the high school level beginning in the 2011-2012
2.17 school year; and

2.18 (3) language arts and reading; grades 3 through 8 and high school level beginning in
2.19 the 2012-2013 school year.

2.20 (c) For students enrolled in grade 8 in the 2012-2013 school year and later, students'
2.21 state graduation requirements, based on a longitudinal, systematic approach to student
2.22 education and career planning, assessment, instructional support, and evaluation, include
2.23 the following:

2.24 (1) demonstrate understanding of required academic standards on a nationally
2.25 normed college entrance exam;

2.26 (2) achievement and career and college readiness tests in mathematics, reading, and
2.27 writing, consistent with paragraph (e) and to the extent available, to monitor students'
2.28 continuous development of and growth in requisite knowledge and skills; analyze
2.29 students' progress and performance levels, identifying students' academic strengths and
2.30 diagnosing areas where students require curriculum or instructional adjustments, targeted
2.31 interventions, or remediation; and, based on analysis of students' progress and performance
2.32 data, determine students' learning and instructional needs and the instructional tools and
2.33 best practices that support academic rigor for the student; and

2.34 (3) consistent with this paragraph and section 120B.125, age-appropriate exploration
2.35 and planning activities and career assessments to encourage students to identify personally
2.36 relevant career interests and aptitudes and help students and their families develop a

3.1 regularly reexamined transition plan for postsecondary education or employment without
3.2 need for postsecondary remediation.

3.3 Based on appropriate state guidelines, students with an individualized education program
3.4 may satisfy state graduation requirements by achieving an individual score on the
3.5 state-identified alternative assessments.

3.6 Expectations of schools, districts, and the state for career or college readiness under
3.7 this subdivision must be comparable in rigor, clarity of purpose, and rates of student
3.8 completion. A student under clause (2) must receive targeted, relevant, academically
3.9 rigorous, and resourced instruction, which may include a targeted instruction and
3.10 intervention plan focused on improving the student's knowledge and skills in core subjects
3.11 so that the student has a reasonable chance to succeed in a career or college without need
3.12 for postsecondary remediation. Consistent with sections 120B.13, 124D.09, 124D.091,
3.13 124D.49, and related sections, an enrolling school or district must actively encourage a
3.14 student in grade 11 or 12 who is identified as academically ready for a career or college
3.15 to participate in courses and programs awarding college credit to high school students.
3.16 Students are not required to achieve a specified score or level of proficiency on an
3.17 assessment under this subdivision to graduate from high school.

3.18 (d) To improve the secondary and postsecondary outcomes of all students, the
3.19 alignment between secondary and postsecondary education programs and Minnesota's
3.20 workforce needs, and the efficiency and cost-effectiveness of secondary and postsecondary
3.21 programs, the commissioner, after consulting with the chancellor of the Minnesota State
3.22 Colleges and Universities and using a request for proposal process, shall contract for
3.23 a series of assessments that are consistent with this subdivision, aligned with state
3.24 academic standards, and include career and college readiness benchmarks. Mathematics,
3.25 reading, and writing assessments for students in grades 8 and 10 must be predictive of a
3.26 nationally normed assessment for career and college readiness. This nationally recognized
3.27 assessment must be a college entrance exam and given to students in grade 11. This
3.28 series of assessments must include a college placement diagnostic exam and contain
3.29 career exploration elements. The commissioner and the chancellor of the Minnesota
3.30 State Colleges and Universities must collaborate in aligning instruction and assessments
3.31 for adult basic education students and English learners to provide the students with
3.32 diagnostic information about any targeted interventions, accommodations, modifications,
3.33 and supports they need so that assessments and other performance measures are accessible
3.34 to them and they may seek postsecondary education or employment without need for
3.35 postsecondary remediation. When administering formative or summative assessments
3.36 used to measure the academic progress, including the oral academic development, of

English learners and inform their instruction, schools must ensure that the assessments are accessible to the students and students have the modifications and supports they need to sufficiently understand the assessments.

(1) Districts and schools, on an annual basis, must use the career exploration elements in these assessments to help students, beginning no later than grade 9, and their families explore and plan for postsecondary education or careers based on the students' interests, aptitudes, and aspirations. Districts and schools must use timely regional labor market information and partnerships, among other resources, to help students and their families successfully develop, pursue, review, and revise an individualized plan for postsecondary education or a career. This process must help increase students' engagement in and connection to school, improve students' knowledge and skills, and deepen students' understanding of career pathways as a sequence of academic and career courses that lead to an industry-recognized credential, an associate's degree, or a bachelor's degree and are available to all students, whatever their interests and career goals.

(2) Students in grade 10 or 11 not yet academically ready for a career or college based on their growth in academic achievement between grades 8 and 10 must take the college placement diagnostic exam before taking the college entrance exam under clause (3). Students, their families, the school, and the district can then use the results of the college placement diagnostic exam for targeted instruction, intervention, or remediation and improve students' knowledge and skills in core subjects sufficient for a student to graduate and have a reasonable chance to succeed in a career or college without remediation.

(3) All students except those eligible for alternative assessments must be given the college entrance part of these assessments in grade 11. A student under this clause who demonstrates attainment of required state academic standards, which include career and college readiness benchmarks, on these assessments is academically ready for a career or college and is encouraged to participate in courses awarding college credit to high school students. Such courses and programs may include sequential courses of study within broad career areas and technical skill assessments that extend beyond course grades.

(4) As appropriate, students through grade 12 must continue to participate in targeted instruction, intervention, or remediation and be encouraged to participate in courses awarding college credit to high school students.

(5) A study to determine the alignment between these assessments and state academic standards under this chapter must be conducted. Where alignment exists, the commissioner must seek federal approval to, and immediately upon receiving approval, replace the federally required assessments referenced under subdivision 1a and section 120B.35, subdivision 2, with assessments under this paragraph.

(e) In developing, supporting, and improving students' academic readiness for a career or college, schools, districts, and the state must have a continuum of empirically derived, clearly defined benchmarks focused on students' attainment of knowledge and skills so that students, their parents, and teachers know how well students must perform to have a reasonable chance to succeed in a career or college without need for postsecondary remediation. The commissioner, in consultation with local school officials and educators, and Minnesota's public postsecondary institutions must ensure that the foundational knowledge and skills for students' successful performance in postsecondary employment or education and an articulated series of possible targeted interventions are clearly identified and satisfy Minnesota's postsecondary admissions requirements.

(f) For students in grade 8 in the 2012-2013 school year and later, a school, district, or charter school must record on the high school transcript a student's progress toward career and college readiness, and for other students as soon as practicable.

(g) The school board granting students their diplomas may formally decide to include a notation of high achievement on the high school diplomas of those graduating seniors who, according to established school board criteria, demonstrate exemplary academic achievement during high school.

(h) The 3rd through 7th grade computer-adaptive assessment results and grade 8 and high school test results shall be available to districts for diagnostic purposes affecting student learning and district instruction and curriculum, and for establishing educational accountability. The commissioner must establish empirically derived benchmarks on adaptive assessments in grades 3 through 7 that reveal a trajectory toward career and college readiness. The commissioner must disseminate to the public the computer-adaptive assessments, grade 8, and high school test results upon receiving those results.

(i) The grades 3 through 7 computer-adaptive assessments and grade 8 and high school tests must be aligned with state academic standards. The commissioner shall determine the testing process and the order of administration. The statewide results shall be aggregated at the site and district level, consistent with subdivision 1a.

(j) The commissioner shall include the following components in the statewide public reporting system:

(1) uniform statewide computer-adaptive assessments of all students in grades 3 through 7 and testing at the grade 8 and high school levels that provides appropriate, technically sound accommodations or alternate assessments;

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

6.1 (3) state results on the American College Test; and

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

6.6 (k) For purposes of statewide accountability, "career and college ready" means a
6.7 high school graduate has the knowledge, skills, and competencies to successfully pursue a
6.8 career pathway, including postsecondary credit leading to a degree, diploma, certificate, or
6.9 industry-recognized credential and employment. Students who are career and college ready
6.10 are able to successfully complete credit-bearing coursework at a two- or four-year college
6.11 or university or other credit-bearing postsecondary program without need for remediation.

6.12 (l) For purposes of statewide accountability, "cultural competence," "cultural
6.13 competency," or "culturally competent" means the ability and will to interact effectively
6.14 with people of different cultures, native languages, and socioeconomic backgrounds.

6.15 (m) A nonpublic school student who transfers into a public school is subject only to
6.16 the testing requirements under this subdivision specifically applicable to those grades in
6.17 which the student is enrolled in the public school. For an out-of-state student transferring
6.18 into a Minnesota school district or charter school, the district or charter school must
6.19 administer statewide assessments to the student only to the extent the student did not take
6.20 comparable assessments in another state as determined by the district or school.

6.21 **EFFECTIVE DATE.** This section is effective the day following final enactment.