

**SENATE
STATE OF MINNESOTA
NINETIETH SESSION**

S.F. No. 3654

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DATE
03/21/2018

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Introduction and first reading
Referred to E-12 Policy

OFFICIAL STATUS

1.1 A bill for an act
1.2 relating to education; requiring statewide tests be administered after April 14;
1.3 requiring testing reports; amending Minnesota Statutes 2016, section 120B.30,
1.4 subdivision 3; Minnesota Statutes 2017 Supplement, section 120B.30, subdivision
1.5 1.

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

1.7 Section 1. Minnesota Statutes 2017 Supplement, section 120B.30, subdivision 1, is amended
1.8 to read:

1.9 Subdivision 1. **Statewide testing.** (a) The commissioner, with advice from experts with
1.10 appropriate technical qualifications and experience and stakeholders, consistent with
1.11 subdivision 1a, shall include in the comprehensive assessment system, for each grade level
1.12 to be tested, state-constructed tests developed as computer-adaptive reading and mathematics
1.13 assessments for students that are aligned with the state's required academic standards under
1.14 section 120B.021, include multiple choice questions, and are administered annually to all
1.15 students in grades 3 through 8. State-developed high school tests aligned with the state's
1.16 required academic standards under section 120B.021 and administered to all high school
1.17 students in a subject other than writing must include multiple choice questions. ~~The~~
1.18 ~~commissioner shall establish one or more months during which~~ Schools shall must administer
1.19 the tests to students ~~each~~ no earlier than April 15 of each school year. The commissioner
1.20 must publish the testing schedule at least two years before the beginning of the testing
1.21 period.

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

clauses (1) and (2), and (d), (ii) the WorkKeys job skills assessment, (iii) the Compass college placement test, (iv) the ACT assessment for college admission, (v) a nationally recognized armed services vocational aptitude test.

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

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

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

(1) mathematics;

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

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

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

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

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

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

(2) consistent with this paragraph and section 120B.125, age-appropriate exploration and planning activities and career assessments to encourage students to identify personally relevant career interests and aptitudes and help students and their families develop a regularly reexamined transition plan for postsecondary education or employment without need for postsecondary remediation.

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

(d) Expectations of schools, districts, and the state for career or college readiness under this subdivision must be comparable in rigor, clarity of purpose, and rates of student completion.

A student under paragraph (c), clause (1), must receive targeted, relevant, academically rigorous, and resourced instruction, which may include a targeted instruction and intervention plan focused on improving the student's knowledge and skills in core subjects so that the student has a reasonable chance to succeed in a career or college without need for postsecondary remediation. Consistent with sections 120B.13, 124D.09, 124D.091, 124D.49, and related sections, an enrolling school or district must actively encourage a student in grade 11 or 12 who is identified as academically ready for a career or college to participate in courses and programs awarding college credit to high school students. Students are not required to achieve a specified score or level of proficiency on an assessment under this subdivision to graduate from high school.

(e) Though not a high school graduation requirement, students are encouraged to participate in a nationally recognized college entrance exam. To the extent state funding for college entrance exam fees is available, a district must pay the cost, one time, for an interested student in grade 11 or 12 who is eligible for a free or reduced-price meal, to take a nationally recognized college entrance exam before graduating. A student must be able to take the exam under this paragraph at the student's high school during the school day and at any one of the multiple exam administrations available to students in the district. A district may administer the ACT or SAT or both the ACT and SAT to comply with this paragraph. If the district administers only one of these two tests and a free or reduced-price meal eligible student opts not to take that test and chooses instead to take the other of the two tests, the student may take the other test at a different time or location and remains eligible for the examination fee reimbursement. Notwithstanding sections 123B.34 to 123B.39, a school district may require a student that is not eligible for a free or reduced-price meal to pay the

4.1 cost of taking a nationally recognized college entrance exam. The district must waive the
4.2 cost for a student unable to pay.

4.3 (f) The commissioner and the chancellor of the Minnesota State Colleges and Universities
4.4 must collaborate in aligning instruction and assessments for adult basic education students
4.5 and English learners to provide the students with diagnostic information about any targeted
4.6 interventions, accommodations, modifications, and supports they need so that assessments
4.7 and other performance measures are accessible to them and they may seek postsecondary
4.8 education or employment without need for postsecondary remediation. When administering
4.9 formative or summative assessments used to measure the academic progress, including the
4.10 oral academic development, of English learners and inform their instruction, schools must
4.11 ensure that the assessments are accessible to the students and students have the modifications
4.12 and supports they need to sufficiently understand the assessments.

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

4.24 (h) A student who demonstrates attainment of required state academic standards, which
4.25 include career and college readiness benchmarks, on high school assessments under
4.26 subdivision 1a is academically ready for a career or college and is encouraged to participate
4.27 in courses awarding college credit to high school students. Such courses and programs may
4.28 include sequential courses of study within broad career areas and technical skill assessments
4.29 that extend beyond course grades.

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

4.33 (j) In developing, supporting, and improving students' academic readiness for a career
4.34 or college, schools, districts, and the state must have a continuum of empirically derived,

5.1 clearly defined benchmarks focused on students' attainment of knowledge and skills so that
5.2 students, their parents, and teachers know how well students must perform to have a
5.3 reasonable chance to succeed in a career or college without need for postsecondary
5.4 remediation. The commissioner, in consultation with local school officials and educators,
5.5 and Minnesota's public postsecondary institutions must ensure that the foundational
5.6 knowledge and skills for students' successful performance in postsecondary employment
5.7 or education and an articulated series of possible targeted interventions are clearly identified
5.8 and satisfy Minnesota's postsecondary admissions requirements.

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

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

5.16 (m) The 3rd through 8th grade computer-adaptive assessment results and high school
5.17 test results shall be available to districts for diagnostic purposes affecting student learning
5.18 and district instruction and curriculum, and for establishing educational accountability. The
5.19 commissioner must establish empirically derived benchmarks on adaptive assessments in
5.20 grades 3 through 8. The commissioner, in consultation with the chancellor of the Minnesota
5.21 State Colleges and Universities, must establish empirically derived benchmarks on the high
5.22 school tests that reveal a trajectory toward career and college readiness consistent with
5.23 section 136F.302, subdivision 1a. The commissioner must disseminate to the public the
5.24 computer-adaptive assessments and high school test results upon receiving those results.

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

5.29 (o) The commissioner shall include the following components in the statewide public
5.30 reporting system:

5.31 (1) uniform statewide computer-adaptive assessments of all students in grades 3 through
5.32 8 and testing at the high school levels that provides appropriate, technically sound
5.33 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;

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

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

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

(q) For purposes of statewide accountability, "cultural competence," "cultural competency," or "culturally competent" means the ability of families and educators to interact effectively with people of different cultures, native languages, and socioeconomic backgrounds.

EFFECTIVE DATE. This section is effective for testing calendars in the 2020-2021 school year and later.

Sec. 2. Minnesota Statutes 2016, section 120B.30, subdivision 3, is amended to read:

Subd. 3. **Reporting.** (a) The commissioner ~~shall~~ must report test results publicly and to stakeholders, including the performance achievement levels developed from students' unweighted test scores in each tested subject and a listing of demographic factors that strongly correlate with student performance, including student homelessness, as data are available, among other factors. The test results must not include personally identifiable information as defined in Code of Federal Regulations, title 34, section 99.3. The commissioner ~~shall~~ must also report data that compares performance results among school sites, school districts, Minnesota and other states, and Minnesota and other nations.

(b) The commissioner ~~shall~~ must disseminate to schools and school districts a more comprehensive report containing testing information that meets local needs for evaluating instruction and curriculum. The commissioner ~~shall~~ must disseminate to charter school authorizers a more comprehensive report containing testing information that contains

7.1 anonymized data where cell count data are sufficient to protect student identity and that
7.2 meets the authorizer's needs in fulfilling its obligations under chapter 124E.

7.3 (c) A school district must disseminate a testing report to a parent or guardian of each
7.4 student no more than 30 days after the district has administered the test to a student. The
7.5 testing report must:

7.6 (1) identify the student's achievement level in each content area;

7.7 (2) track the student's performance history and progress toward career and college
7.8 readiness; and

7.9 (3) suggest ways families can help students meet or exceed academic standards.

7.10 (d) A school district must disseminate a testing report to the teacher of each student
7.11 before the beginning of the following school year. The testing report must:

7.12 (1) identify the student's achievement level in each content area; and

7.13 (2) track the student's performance history.

7.14 **EFFECTIVE DATE.** This section is effective for the 2018-2019 school year and later.