

**SENATE**  
**STATE OF MINNESOTA**  
**NINETY-FIRST SESSION**

**S.F. No. 709**

(SENATE AUTHORS: CHAMBERLAIN, Eichorn and Pratt)

DATE	D-PG	OFFICIAL STATUS
01/31/2019	219	Introduction and first reading Referred to E-12 Finance and Policy

1.1 A bill for an act

1.2 relating to education; modifying student performance data collection; amending

1.3 Minnesota Statutes 2018, sections 120B.31, subdivision 4; 120B.35, subdivision

1.4 3.

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

1.6 Section 1. Minnesota Statutes 2018, section 120B.31, subdivision 4, is amended to read:

1.7 Subd. 4. **Student performance data.** In developing policies and assessment processes

1.8 to hold schools and districts accountable for high levels of academic standards under section

1.9 120B.021, the commissioner shall aggregate and disaggregate student data over time to

1.10 report summary student performance and growth levels and, under section 120B.11,

1.11 subdivision 2, clause (2), student learning and outcome data measured at the school, school

1.12 district, and statewide level. The commissioner shall use the student categories identified

1.13 under the federal Elementary and Secondary Education Act, as most recently reauthorized,

1.14 and student categories of:

1.15 (1) homelessness;

1.16 ~~(2) ethnicity under section 120B.35, subdivision 3, paragraph (a), clause (2);~~

1.17 ~~(3) race under section 120B.35, subdivision 3, paragraph (a), clause (2);~~

1.18 ~~(4)~~ (2) home language;

1.19 ~~(5)~~ (3) English learners under section 124D.59;

1.20 ~~(6)~~ (4) free or reduced-price lunch; and

2.1 ~~(7)~~(5) other categories designated by federal law to organize and report the data so that  
 2.2 state and local policy makers can understand the educational implications of changes in  
 2.3 districts' demographic profiles over time as data are available.

2.4 Any report the commissioner disseminates containing summary data on student performance  
 2.5 must integrate student performance and the demographic factors that strongly correlate with  
 2.6 that performance.

2.7 Sec. 2. Minnesota Statutes 2018, section 120B.35, subdivision 3, is amended to read:

2.8 Subd. 3. **State growth target; other state measures.** (a)(1) The state's educational  
 2.9 assessment system measuring individual students' educational growth is based on indicators  
 2.10 of achievement growth that show an individual student's prior achievement. Indicators of  
 2.11 achievement and prior achievement must be based on highly reliable statewide or districtwide  
 2.12 assessments.

2.13 (2) For purposes of paragraphs (b), (c), and (d), the commissioner must analyze and  
 2.14 report separate categories of information using the student categories identified under the  
 2.15 federal Elementary and Secondary Education Act, as most recently reauthorized, ~~and, in~~  
 2.16 ~~addition to "other" for each race and ethnicity, and the Karen community, seven of the most~~  
 2.17 ~~populous Asian and Pacific Islander groups, three of the most populous Native groups,~~  
 2.18 ~~seven of the most populous Hispanic/Latino groups, and five of the most populous Black~~  
 2.19 ~~and African Heritage groups as determined by the total Minnesota population based on the~~  
 2.20 ~~most recent American Community Survey; Categories include English learners under~~  
 2.21 ~~section 124D.59; home language; free or reduced-price lunch; and all students enrolled in~~  
 2.22 ~~a Minnesota public school who are currently or were previously in foster care, except that~~  
 2.23 ~~such disaggregation and cross tabulation is not required if the number of students in a~~  
 2.24 ~~category is insufficient to yield statistically reliable information or the results would reveal~~  
 2.25 ~~personally identifiable information about an individual student.~~

2.26 (b) The commissioner, in consultation with a stakeholder group that includes assessment  
 2.27 and evaluation directors, district staff, experts in culturally responsive teaching, and  
 2.28 researchers, must implement a model that uses a value-added growth indicator and includes  
 2.29 criteria for identifying schools and school districts that demonstrate medium and high growth  
 2.30 under section 120B.299, subdivisions 8 and 9, and may recommend other value-added  
 2.31 measures under section 120B.299, subdivision 3. The model may be used to advance  
 2.32 educators' professional development and replicate programs that succeed in meeting students'  
 2.33 diverse learning needs. Data on individual teachers generated under the model are personnel  
 2.34 data under section 13.43. The model must allow users to:

3.1 (1) report student growth consistent with this paragraph; and

3.2 (2) for all student categories, report and compare aggregated and disaggregated state  
3.3 student growth and, under section 120B.11, subdivision 2, clause (2), student learning and  
3.4 outcome data using the student categories identified under the federal Elementary and  
3.5 Secondary Education Act, as most recently reauthorized, and other student categories under  
3.6 paragraph (a), clause (2).

3.7 The commissioner must report measures of student growth and, under section 120B.11,  
3.8 subdivision 2, clause (2), student learning and outcome data, consistent with this paragraph,  
3.9 including the English language development, academic progress, and oral academic  
3.10 development of English learners and their native language development if the native language  
3.11 is used as a language of instruction, and include data on all pupils enrolled in a Minnesota  
3.12 public school course or program who are currently or were previously counted as an English  
3.13 learner under section 124D.59.

3.14 (c) When reporting student performance under section 120B.36, subdivision 1, the  
3.15 commissioner annually, beginning July 1, 2011, must report two core measures indicating  
3.16 the extent to which current high school graduates are being prepared for postsecondary  
3.17 academic and career opportunities:

3.18 (1) a preparation measure indicating the number and percentage of high school graduates  
3.19 in the most recent school year who completed course work important to preparing them for  
3.20 postsecondary academic and career opportunities, consistent with the core academic subjects  
3.21 required for admission to Minnesota's public colleges and universities as determined by the  
3.22 Office of Higher Education under chapter 136A; and

3.23 (2) a rigorous coursework measure indicating the number and percentage of high school  
3.24 graduates in the most recent school year who successfully completed one or more  
3.25 college-level advanced placement, international baccalaureate, postsecondary enrollment  
3.26 options including concurrent enrollment, other rigorous courses of study under section  
3.27 120B.021, subdivision 1a, or industry certification courses or programs.

3.28 When reporting the core measures under clauses (1) and (2), the commissioner must also  
3.29 analyze and report separate categories of information using the student categories identified  
3.30 under the federal Elementary and Secondary Education Act, as most recently reauthorized,  
3.31 and other student categories under paragraph (a), clause (2).

3.32 (d) When reporting student performance under section 120B.36, subdivision 1, the  
3.33 commissioner annually, beginning July 1, 2014, must report summary data on school safety  
3.34 and students' engagement and connection at school, consistent with the student categories

4.1 identified under paragraph (a), clause (2). The summary data under this paragraph are  
4.2 separate from and must not be used for any purpose related to measuring or evaluating the  
4.3 performance of classroom teachers. The commissioner, in consultation with qualified experts  
4.4 on student engagement and connection and classroom teachers, must identify highly reliable  
4.5 variables that generate summary data under this paragraph. The summary data may be used  
4.6 at school, district, and state levels only. Any data on individuals received, collected, or  
4.7 created that are used to generate the summary data under this paragraph are nonpublic data  
4.8 under section 13.02, subdivision 9.

4.9 (e) For purposes of statewide educational accountability, the commissioner must identify  
4.10 and report measures that demonstrate the success of learning year program providers under  
4.11 sections 123A.05 and 124D.68, among other such providers, in improving students'  
4.12 graduation outcomes. The commissioner, beginning July 1, 2015, must annually report  
4.13 summary data on:

4.14 (1) the four- and six-year graduation rates of students under this paragraph;

4.15 (2) the percent of students under this paragraph whose progress and performance levels  
4.16 are meeting career and college readiness benchmarks under section 120B.30, subdivision  
4.17 1; and

4.18 (3) the success that learning year program providers experience in:

4.19 (i) identifying at-risk and off-track student populations by grade;

4.20 (ii) providing successful prevention and intervention strategies for at-risk students;

4.21 (iii) providing successful recuperative and recovery or reenrollment strategies for off-track  
4.22 students; and

4.23 (iv) improving the graduation outcomes of at-risk and off-track students.

4.24 The commissioner may include in the annual report summary data on other education  
4.25 providers serving a majority of students eligible to participate in a learning year program.

4.26 (f) The commissioner, in consultation with recognized experts with knowledge and  
4.27 experience in assessing the language proficiency and academic performance of all English  
4.28 learners enrolled in a Minnesota public school course or program who are currently or were  
4.29 previously counted as an English learner under section 124D.59, must identify and report  
4.30 appropriate and effective measures to improve current categories of language difficulty and  
4.31 assessments, and monitor and report data on students' English proficiency levels, program  
4.32 placement, and academic language development, including oral academic language.

5.1 (g) When reporting four- and six-year graduation rates, the commissioner or school  
5.2 district must disaggregate the data by student categories according to paragraph (a), clause  
5.3 (2).

5.4 (h) A school district must inform parents and guardians that volunteering information  
5.5 on student categories not required by the most recent reauthorization of the Elementary and  
5.6 Secondary Education Act is optional and will not violate the privacy of students or their  
5.7 families, parents, or guardians. The notice must state the purpose for collecting the student  
5.8 data.