

SESSION LAWS
of the
STATE OF MINNESOTA

ENACTED BY THE EIGHTIETH LEGISLATURE

AT THE REGULAR SESSION IN 1997

FROM JANUARY 7 TO MAY 19

CHAPTER 1—H.F.No. 1

An act relating to education; repealing the K-12 education appropriations caps; permitting statewide testing; appropriating money; amending Minnesota Statutes 1996, sections 121.11, subdivision 7c; 121.1115, by adding a subdivision; 124.17, subdivision 1; and 124A.22, subdivision 2; repealing Laws 1995, First Special Session chapter 3, article 14, section 5, as amended.

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

Section 1. Minnesota Statutes 1996, section 121.11, subdivision 7c, is amended to read:

Subd. 7c. **RESULTS-ORIENTED GRADUATION RULE.** (a) The legislature is committed to establishing a rigorous, results-oriented graduation rule for Minnesota's public school students. To that end, the state board shall use its rulemaking authority under subdivision 7b to adopt a statewide, results-oriented graduation rule to be implemented starting with students beginning ninth grade in the 1996-1997 school year. The board shall not prescribe in rule or otherwise the delivery system, or form of instruction, or a single statewide form of assessment that local sites must use to meet the requirements contained in this rule.

(b) To successfully accomplish paragraph (a), the state board shall set in rule high academic standards for all students. The standards must contain the foundational skills in

the three core curricular areas of reading, writing, and mathematics while meeting requirements for high school graduation. The standards must also provide an opportunity for students to excel by meeting higher academic standards through a profile of learning that uses curricular requirements to allow students to expand their knowledge and skills beyond the foundational skills. All state board actions regarding the rule must be premised on the following:

(1) the rule is intended to raise academic expectations for students, teachers, and schools;

(2) any state action regarding the rule must evidence consideration of school district autonomy; and

(3) the department of children, families, and learning, with the assistance of school districts, must make available information about all state initiatives related to the rule to students and parents, teachers, and the general public in a timely format that is appropriate, comprehensive, and readily understandable.

(c) For purposes of adopting the rule, the state board, in consultation with the department, recognized psychometric experts in assessment, and other interested and knowledgeable educators, using the most current version of professional standards for educational testing, shall evaluate the alternative approaches to assessment.

(d) The content of the graduation rule must differentiate between minimum competencies reflected in the basic requirements assessment and rigorous profile of learning standards. When fully implemented, the requirements for high school graduation in Minnesota must include both basic requirements and the required profile of learning. The profile of learning must measure student performance using performance-based assessments compiled over time that integrate higher academic standards, higher order thinking skills, and application of knowledge from a variety of content areas. The profile of learning shall include a broad range of academic experience and accomplishment necessary to achieve the goal of preparing students to function effectively as purposeful thinkers, effective communicators, self-directed learners, productive group participants, and responsible citizens.

(e) The state board shall periodically review and report on the assessment process and student achievement with the expectation of raising the standards and expanding high school graduation requirements.

(f) The state board shall report in writing to the legislature annually by January 15 on its progress in developing and implementing the graduation requirements according to the requirements of this subdivision and section 123.97 until such time as all the graduation requirements are implemented.

Sec. 2. Minnesota Statutes 1996, section 121.1115, is amended by adding a subdivision to read:

Subd. 1a. **STATEWIDE TESTING.** Each school year, all school districts shall give a uniform statewide test to students at specified grades to provide information on the status, needs and performance of Minnesota students.

Sec. 3. Minnesota Statutes 1996, section 124.17, subdivision 1, is amended to read:

New language is indicated by underline, deletions by ~~strikeout~~.

Subdivision 1. **PUPIL UNIT.** Pupil units for each resident pupil in average daily membership shall be counted according to this subdivision.

(a) A prekindergarten pupil with a disability who is enrolled in a program approved by the commissioner and has an individual education plan is counted as the ratio of the number of hours of assessment and education service to 825 with a minimum of 0.28, but not more than one.

(b) A prekindergarten pupil who is assessed but determined not to be handicapped is counted as the ratio of the number of hours of assessment service to 825.

(c) A kindergarten pupil with a disability who is enrolled in a program approved by the commissioner is counted as the ratio of the number of hours of assessment and education services required in the fiscal year by the pupil's individual education program plan to 875, but not more than one.

(d) A kindergarten pupil who is not included in paragraph (c) is counted as .53 of a pupil unit for fiscal year 1995 and thereafter.

(e) A pupil who is in any of grades 1 to 6 is counted as 1.06 pupil units for fiscal year 1995 and thereafter.

(f) ~~For fiscal year 1996 and fiscal year 1997, A pupil who is in any of grades 7 to 12 is counted as 1.3 pupil units. For fiscal year 1998, a pupil who is in any of grades 7 to 12 is counted as 1.25 pupil units. For fiscal year 1999 and later years, a pupil who is in any of grades 7 to 12 is counted as 1.2 pupil units.~~

(g) ~~For fiscal year 1996 and fiscal year 1997, A pupil who is in the post-secondary enrollment options program is counted as 1.3 pupil units. For fiscal year 1998, a pupil who is in the post-secondary enrollment options program is counted as 1.25 pupil units. For fiscal year 1999 and later years, a pupil who is in the post-secondary enrollment options program is counted as 1.2 pupil units.~~

(h) ~~In fiscal year 1998, the pupil units used in computing a district's general education revenue and referendum revenue may not be reduced by more than two percent due to the reduction in the secondary pupil weight from 1.3 as specified in paragraphs (f) and (g). In fiscal year 1999 and later years, the pupil units used in computing a district's general education revenue and referendum revenue may not be decreased by more than four percent due to the reduction in the secondary weight from 1.3 as specified in paragraphs (f) and (g).~~

Sec. 4. Minnesota Statutes 1996, section 124A.22, subdivision 2, is amended to read:

Subd. 2. **BASIC REVENUE.** The basic revenue for each district equals the formula allowance times the actual pupil units for the school year. The formula allowance for fiscal year 1995 is \$3,150. The formula allowance for fiscal year 1996 is \$3,205. The formula allowance for fiscal year 1997 is \$3,505 and for fiscal year 1998 and subsequent fiscal years the formula allowance is \$3,430 ~~\$3,505~~.

Sec. 5. **REPEALER.**

Laws 1995, First Special Session chapter 3, article 14, section 5, as amended by Laws 1996, chapter 412, article 14, section 3, is repealed.

New language is indicated by underline, deletions by strikethrough.

Sec. 6. EFFECTIVE DATE.

Sections 1 and 3 to 5 are effective the day following final enactment. Section 2 is effective for the 1997-1998 school year.

Presented to the governor February 13, 1997

Signed by the governor February 14, 1997, 11:35 a.m.

CHAPTER 2—H.F.No. 13

An act relating to legislative enactments; providing for the correction of miscellaneous oversights, inconsistencies, ambiguities, unintended results, and technical errors of a noncontroversial nature; amending Minnesota Statutes 1996, sections 84.035, subdivision 5; 103G.005, subdivision 14a; 103G.2243; 119A.31, subdivision 1; 124A.22, subdivision 13; 256B.431, subdivision 25; 366.125; 394.235; and 462.353, subdivision 5; and Laws 1996, chapter 408, article 2, section 8.

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

Section 1. **CORRECTION 51.** Minnesota Statutes 1996, section 366.125, is amended to read:

366.125 MAY MAKE APPLICANT CERTIFY THAT TAXES ARE PAID.

The town board may require, either as part of the necessary information on an application or as a condition of a grant of approval, an applicant for an amendment, permit, or other approval required under a regulation established pursuant to sections 366.10 to 366.18 to certify that there are no delinquent property taxes, special assessments, penalties, and interest due on the parcel to which the application relates. Property taxes which are being paid under the provisions of a stipulation, order, or confession of judgment, or which are being appealed as provided by law, are not considered delinquent for purposes of this section if all required payments that are due under the terms of the stipulation, order, confession of judgment, or appeal have been paid.

Sec. 2. **CORRECTION 51.** Minnesota Statutes 1996, section 394.235, is amended to read:

394.235 MAY MAKE APPLICANT CERTIFY THAT TAXES ARE PAID.

The county board may require, either as part of the necessary information on an application or as a condition of a grant of approval, an applicant for an amendment to an official control established pursuant to sections 394.21 to 394.37, or for a permit or other approval required under an official control established pursuant to those sections to certify that there are no delinquent property taxes, special assessments, penalties, and interest due on the parcel to which the application relates. Property taxes which are being paid under the provisions of a stipulation, order, or confession of judgment, or which are being appealed as provided by law, are not considered delinquent for purposes of this section if all required payments that are due under the terms of the stipulation, order, confession of judgment, or appeal have been paid.

New language is indicated by underline, deletions by ~~strikeout~~.