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State of Minnesota
HOUSE OF REPRESENTATIVES

EIGHTY-EIGHTH SESSION

H. F. No. 685

02/18/2013 Authored by Bly, Mariani, Brynaert, Isaacson, Benson, J., and others
The bill was read for the first time and referred to the Committee on Education Policy

1.1 A bill for an act
1.2 relating to education; proposing to establish alternative routes to a standard
1.3 diploma for at-risk and off-track students; amending Minnesota Statutes 2012,
1.4 section 120B.35, subdivision 3.

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

1.6 Section 1. Minnesota Statutes 2012, section 120B.35, subdivision 3, is amended to read:

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

1.12 (b) The commissioner, in consultation with a stakeholder group that includes
1.13 assessment and evaluation directors and staff and researchers must implement a model
1.14 that uses a value-added growth indicator and includes criteria for identifying schools
1.15 and school districts that demonstrate medium and high growth under section 120B.299,
1.16 subdivisions 8 and 9, and may recommend other value-added measures under section
1.17 120B.299, subdivision 3. The model may be used to advance educators' professional
1.18 development and replicate programs that succeed in meeting students' diverse learning
1.19 needs. Data on individual teachers generated under the model are personnel data under
1.20 section 13.43. The model must allow users to:

- 1.21 (1) report student growth consistent with this paragraph; and
- 1.22 (2) for all student categories, report and compare aggregated and disaggregated state
- 1.23 growth data using the nine student categories identified under the federal 2001 No Child

2.1 Left Behind Act and two student gender categories of male and female, respectively,
2.2 following appropriate reporting practices to protect nonpublic student data.

2.3 The commissioner must report separate measures of student growth and proficiency,
2.4 consistent with this paragraph.

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

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

2.14 (2) a rigorous coursework measure indicating the number and percentage of high
2.15 school graduates in the most recent school year who successfully completed one or more
2.16 college-level advanced placement, international baccalaureate, postsecondary enrollment
2.17 options including concurrent enrollment, other rigorous courses of study under section
2.18 120B.021, subdivision 1a, or industry certification courses or programs.

2.19 When reporting the core measures under clauses (1) and (2), the commissioner must also
2.20 analyze and report separate categories of information using the nine student categories
2.21 identified under the federal 2001 No Child Left Behind Act and two student gender
2.22 categories of male and female, respectively, following appropriate reporting practices to
2.23 protect nonpublic student data.

2.24 (d) When reporting student performance under section 120B.36, subdivision 1, the
2.25 commissioner annually, beginning July 1, 2014, must report summary data on school
2.26 safety and students' engagement and connection at school. The summary data under this
2.27 paragraph are separate from and must not be used for any purpose related to measuring
2.28 or evaluating the performance of classroom teachers. The commissioner, in consultation
2.29 with qualified experts on student engagement and connection and classroom teachers,
2.30 must identify highly reliable variables that generate summary data under this paragraph.
2.31 The summary data may be used at school, district, and state levels only. Any data on
2.32 individuals received, collected, or created that are used to generate the summary data
2.33 under this paragraph are nonpublic data under section 13.02, subdivision 9.

2.34 (e) For purposes of statewide educational accountability, the commissioner must
2.35 identify and report measures that demonstrate the success of school districts, school sites,
2.36 charter schools, and alternative program providers in improving the graduation outcomes

3.1 of students under this paragraph. When reporting student performance under section
3.2 120B.36, subdivision 1, the commissioner, beginning July 1, 2015, must annually report
3.3 summary data on:

3.4 (1) the four- and six-year graduation rates of students throughout the state who
3.5 are identified as at risk of not graduating or off track to graduate, including students
3.6 who are eligible to participate in a program under section 123A.05 or 124D.68, among
3.7 other students; and

3.8 (2) the success that school districts, school sites, charter schools, and alternative
3.9 program providers experience in:

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

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

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

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

3.15 For purposes of this paragraph, a student who is at risk of not graduating is a student
3.16 in eighth or ninth grade who meets one or more of the following criteria: first enrolled
3.17 in an English language learners program in eighth or ninth grade and may be older than
3.18 other students enrolled in the same grade; as an eighth grader, is absent from school for at
3.19 least 20 percent of the days of instruction during the school year, is two or more years
3.20 older than other students enrolled in the same grade, or fails multiple core academic
3.21 courses; or as a ninth grader, fails multiple ninth grade core academic courses in English
3.22 language arts, math, science, or social studies.

3.23 For purposes of this paragraph, a student who is off track to graduate is a student
3.24 who meets one or more of the following criteria: first enrolled in an English language
3.25 learners program in high school and is older than other students enrolled in the same grade;
3.26 is a returning dropout; is 16 or 17 years old and two or more academic years off track to
3.27 graduate; is 18 years or older and two or more academic years off track to graduate; or is
3.28 18 years or older and may graduate within one school year.

3.29 **EFFECTIVE DATE.** Paragraph (e) applies to data that are collected in the
3.30 2014-2015 school year and later and reported annually beginning July 1, 2015, consistent
3.31 with the recommendations the commissioner receives from recognized and qualified
3.32 experts on improving differentiated graduation rates, and establishing alternative routes to
3.33 a standard high school diploma for at-risk and off-track students.

4.1 Sec. 2. **IMPLEMENTING DIFFERENTIATED GRADUATION RATE**
4.2 **MEASURES AND EXPLORING ALTERNATIVE ROUTES TO A STANDARD**
4.3 **DIPLOMA FOR AT-RISK AND OFF-TRACK STUDENTS.**

4.4 (a) To implement the requirements of Minnesota Statutes, section 120B.35,
4.5 subdivision 3, paragraph (e), the commissioner of education must convene a group
4.6 of recognized and qualified experts on improving differentiated graduation rates and
4.7 establishing alternative routes to a standard high school diploma for at-risk and off-track
4.8 students throughout the state. The commissioner must assist the group, as requested, to
4.9 explore and recommend to the commissioner and the legislature:

4.10 (1) research-based measures that demonstrate the relative success of school
4.11 districts, school sites, charter schools, and alternative program providers in improving the
4.12 graduation outcomes of at-risk and off-track students; and

4.13 (2) state options for establishing alternative routes to a standard diploma consistent
4.14 with the educational accountability system under Minnesota Statutes, chapter 120B.

4.15 When proposing alternative routes to a standard diploma, the group also must identify
4.16 highly reliable variables that generate summary data to comply with Minnesota Statutes,
4.17 section 120B.35, subdivision 3, paragraph (e), including: who initiates the request for
4.18 an alternative route; who approves the request for an alternative route; the parameters
4.19 of the alternative route process, including whether a student first must fail a regular,
4.20 state-mandated exam; and the comparability of the academic and achievement criteria
4.21 reflected in the alternative route and the standard route for a standard diploma. The group
4.22 is also encouraged to identify the data, time lines, and methods needed to evaluate and
4.23 report on the alternative routes to a standard diploma once they are implemented and the
4.24 student outcomes that result from those routes.

4.25 (b) The commissioner must convene the first meeting of this group by September
4.26 15, 2013. Group members must include: one administrator of, one teacher from, and
4.27 one parent of a student currently enrolled in a state-approved alternative program
4.28 selected by the Minnesota Association of Alternative Programs; one representative
4.29 selected by the Minnesota Online Learning Alliance; one representative selected by
4.30 the Metropolitan Federation of Alternative Schools; one representative selected by the
4.31 Minnesota Association of Charter Schools; one representative selected by the Minnesota
4.32 School Board Association; one representative selected by Education Minnesota; one
4.33 representative selected by the Association of Metropolitan School Districts; one
4.34 representative selected by the Minnesota Rural Education Association; two faculty
4.35 members selected by the dean of the College of Education at the University of Minnesota
4.36 with expertise in serving and assessing at-risk and off-track students; two Minnesota State

5.1 Colleges and Universities faculty members selected by the Minnesota State Colleges
5.2 and Universities chancellor with expertise in serving and assessing at-risk and off-track
5.3 students; one currently serving superintendent from a school district selected by the
5.4 Minnesota Association of School Administrators; one currently serving high school
5.5 principal selected by the Minnesota Association of Secondary School Principals; and
5.6 two public members selected by the commissioner. The group may seek input from
5.7 representatives of other interested stakeholders and organizations with expertise to help
5.8 inform the group's work. The group must meet at least quarterly. Group members do not
5.9 receive compensation or reimbursement of expenses for participating in this group. The
5.10 group expires February 16, 2014.

5.11 (c) The group, by February 15, 2014, must develop and submit to the commissioner
5.12 and the education policy and finance committees of the legislature recommendations
5.13 and legislation, consistent with this section and Minnesota Statutes, section 120B.35,
5.14 subdivision 3, paragraph (e), for:

5.15 (1) measuring and reporting differentiated graduation rates for at-risk and off-track
5.16 students throughout the state and the success and costs that school districts, school sites,
5.17 charter schools, and alternative program providers experience in identifying and serving
5.18 at-risk or off-track student populations; and

5.19 (2) establishing alternative routes to a standard diploma.

5.20 **EFFECTIVE DATE.** This section is effective the day following final enactment
5.21 and applies to school report cards beginning July 1, 2015.