

SENATE  
STATE OF MINNESOTA  
EIGHTY-EIGHTH LEGISLATURE

S.F. No. 1140

(SENATE AUTHORS: RUUD and Chamberlain)

DATE	D-PG	OFFICIAL STATUS
03/07/2013	680	Introduction and first reading Referred to Education

1.1

A bill for an act

1.2

relating to education; aligning high school graduation exams with college

1.3

readiness; amending Minnesota Statutes 2012, section 120B.30, subdivisions

1.4

1, 1a.

1.5

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

1.6

Section 1. Minnesota Statutes 2012, section 120B.30, subdivision 1, is amended to read:

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Subdivision 1. **Statewide testing.** (a) The commissioner, with advice from experts

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with appropriate technical qualifications and experience and stakeholders, consistent with

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subdivision 1a, shall include in the comprehensive assessment system, for each grade

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level to be tested, state-constructed tests developed from and aligned with the state's

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required academic standards under section 120B.021, include multiple choice questions,

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and be administered annually to all students in grades 3 through 8. ~~State-developed high~~

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~~school tests aligned with the state's required academic standards under section 120B.021~~

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~~and administered to all high school students in a subject other than writing must include~~

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~~multiple choice questions.~~ The commissioner shall establish one or more months during

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which schools shall administer the state-constructed tests to students each school year. For

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students enrolled in grade 8 before the 2005-2006 school year, ~~Minnesota basic skills tests~~

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~~in reading, mathematics, and writing shall fulfill students' basic skills testing requirements~~

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~~for a passing state notation. The passing scores of basic skills tests in reading and~~

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~~mathematics are the equivalent of 75 percent correct for students entering grade 9 based on~~

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~~the first uniform test administered in February 1998.~~ Students who have not successfully

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passed a Minnesota basic skills test by the end of the 2011-2012 school year must pass

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the graduation-required assessments for diploma under paragraph (c), except that for

the 2012-2013 and 2013-2014 school years only, these students may satisfy the state's graduation test requirement for math by complying with paragraph (d), clauses (1) and (3).

(b) The state assessment system for grades 3 through 8 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~~ from the 2005-2006 school year ~~and later through the 2013-2014 school year~~, only the following options shall fulfill students' state graduation test requirements:

(1) for reading and mathematics:

(i) obtaining an achievement level equivalent to or greater than proficient as determined through a standard setting process on the Minnesota comprehensive assessments in grade 10 for reading and grade 11 for mathematics or achieving a passing score as determined through a standard setting process on the graduation-required assessment for diploma in grade 10 for reading and grade 11 for mathematics or subsequent retests;

(ii) achieving a passing score as determined through a standard setting process on the state-identified language proficiency test in reading and the mathematics test for English learners or the graduation-required assessment for diploma equivalent of those assessments for students designated as English learners;

(iii) achieving an individual passing score on the graduation-required assessment for diploma as determined by appropriate state guidelines for students with an individualized education program or 504 plan;

(iv) obtaining achievement level equivalent to or greater than proficient as determined through a standard setting process on the state-identified alternate assessment or assessments in grade 10 for reading and grade 11 for mathematics for students with an individualized education program; or

(v) achieving an individual passing score on the state-identified alternate assessment or assessments as determined by appropriate state guidelines for students with an individualized education program; and

3.1 (2) for writing:

3.2 (i) achieving a passing score on the graduation-required assessment for diploma;

3.3 (ii) achieving a passing score as determined through a standard setting process on  
3.4 the state-identified language proficiency test in writing for students designated as English  
3.5 learners;

3.6 (iii) achieving an individual passing score on the graduation-required assessment for  
3.7 diploma as determined by appropriate state guidelines for students with an individualized  
3.8 education program or 504 plan; or

3.9 (iv) achieving an individual passing score on the state-identified alternate assessment  
3.10 or assessments as determined by appropriate state guidelines for students with an  
3.11 individualized education program.

3.12 (d) Students enrolled in grade 8 in any school year from the 2005-2006 school  
3.13 year to the 2009-2010 school year who do not pass the mathematics graduation-required  
3.14 assessment for diploma under paragraph (c) are eligible to receive a high school diploma  
3.15 if they:

3.16 (1) complete with a passing score or grade all state and local coursework and credits  
3.17 required for graduation by the school board granting the students their diploma;

3.18 (2) participate in district-prescribed academic remediation in mathematics; and

3.19 (3) fully participate in at least two retests of the mathematics GRAD test or until  
3.20 they pass the mathematics GRAD test, whichever comes first. A school, district, or charter  
3.21 school must place on the high school transcript a student's current pass status for each  
3.22 subject that has a required graduation assessment.

3.23 In addition, the school board granting the students their diplomas may formally  
3.24 decide to include a notation of high achievement on the high school diplomas of those  
3.25 graduating seniors who, according to established school board criteria, demonstrate  
3.26 exemplary academic achievement during high school.

3.27 (e) The 3rd through 8th grade and high school test results shall be available to  
3.28 districts for diagnostic purposes affecting student learning and district instruction and  
3.29 curriculum, and for establishing educational accountability. The commissioner must  
3.30 disseminate to the public the high school test results upon receiving those results.

3.31 (f) The 3rd through 8th grade and high school tests must be aligned with state  
3.32 academic standards. The commissioner shall determine the testing process and the order  
3.33 of administration. The statewide results shall be aggregated at the site and district level,  
3.34 consistent with subdivision 1a.

(g) In addition to the testing and reporting requirements under this section, the commissioner shall include the following components in the statewide public reporting system:

(1) uniform statewide testing of all students in grades 3 through 8 and at the high school level 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;

(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.

**EFFECTIVE DATE.** This section is effective for students entering 8th grade in the 2014-2015 school year and later or upon federal approval, whichever is later.

Sec. 2. Minnesota Statutes 2012, section 120B.30, subdivision 1a, is amended to read:

Subd. 1a. **Statewide and local assessments; results.** (a) For purposes of conforming with existing federal educational accountability requirements, the commissioner must develop reading and mathematics assessments for grades 3 through 8; ~~state-developed high school reading and mathematics tests aligned with state academic standards,~~ and annual science assessments under clause (2) in one grade in the grades 3 through 5 span that districts and sites must use to monitor student growth toward achieving those standards. The commissioner shall contract for the nationally recognized college entrance exam taken by the most high school students in Minnesota during the 2011-2012 school year to be taken by all students in grade 11 and as necessary in grade 12 to fulfill educational accountability requirements in high school. The entrance exam must include reading, mathematics, English, science, and writing. The commissioner must not develop statewide assessments for academic standards in social studies, health and physical education, and the arts. The commissioner must not require students to achieve a passing score on any high school assessment as a condition of receiving a high school diploma. The commissioner must require:

(1) annual reading and mathematics assessments in grades 3 through 8, and high school reading and mathematics tests in grade 11; and

(2) annual science assessments in one grade in the grades 3 through 5 span, the grades 6 through 8 span, and ~~a life sciences assessment in the grades 9 through 12 span, and the commissioner must not require students to achieve a passing score on high school science assessments as a condition of receiving a high school diploma.~~ grade 11;

(3) an English assessment in grade 11; and

(4) a writing assessment in grade 11.

(b) The commissioner must ensure that all statewide tests administered to elementary and secondary students measure students' academic knowledge and skills and not students' values, attitudes, and beliefs.

(c) Reporting of assessment results for assessments in grades 3 through 8 must:

(1) provide timely, useful, and understandable information on the performance of individual students, schools, school districts, and the state;

(2) include a value-added growth indicator of student achievement under section 120B.35, subdivision 3, paragraph (b); and

(3)(i) for students enrolled in grade 8 before the 2005-2006 school year, determine whether students have met the state's basic skills requirements; and

(ii) for students enrolled in grade 8 in the 2005-2006 school year and later, determine whether students have met the state's academic standards.

(d) Consistent with applicable federal law and subdivision 1, paragraph ~~(d)~~ (g), clause (1), the commissioner must include appropriate, technically sound accommodations or alternative assessments for the very few students with disabilities for whom statewide assessments are inappropriate and for English learners.

(e) A school, school district, and charter school must administer statewide assessments under this section, as the assessments become available, to evaluate student proficiency in the context of the state's grade level academic standards. If a state assessment is not available, a school, school district, and charter school must determine locally if a student has met the required academic standards. A school, school district, or charter school may use a student's performance on a statewide assessment as one of multiple criteria to determine grade promotion or retention. A school, school district, or charter school may use a high school student's performance on a statewide assessment as a percentage of the student's final grade in a course, or place a student's assessment score on the student's transcript.

**EFFECTIVE DATE.** This section is effective the day following final enactment and applies to students entering 8th grade in the 2014-2015 school year and later or upon federal approval, whichever is later.

6.1       Sec. 3. **FEDERAL WAIVER.**

6.2             The commissioner shall seek necessary waivers from federal requirements to replace  
6.3 current high school assessments with the contracted assessments under Minnesota  
6.4 Statutes, section 120B.30, subdivision 1a, paragraph (a).

6.5       Sec. 4. **RECOMMENDED READINESS SCORES.**

6.6             By January 15, 2014, the commissioner shall report to the legislative committees with  
6.7 primary jurisdiction over kindergarten through grade 12 education a recommended score  
6.8 for each section of the college entrance exam under Minnesota Statutes, section 120B.30,  
6.9 subdivision 1, that demonstrates college and career readiness. These recommended scores  
6.10 may not be used in any determinations until affirmed by legislative action.