

# CHAPTER 3500

## STATE BOARD OF EDUCATION

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### MINIMUM REQUIREMENTS FOR ELEMENTARY AND SECONDARY SCHOOLS

#### 3500.0500 GENERAL EDUCATIONAL PROGRAM REQUIREMENTS.

**Subpart 1. Program for all pupils.** The educational program shall provide a general education for all pupils and suitable special education for exceptional children -- handicapped, gifted and talented. It shall meet the needs and interests of all pupils and the needs of the community served. Except as provided in this subpart and in parts 3535.3100 to 3535.3700, no school shall provide any course or activity on the basis of sex. This includes health, physical education, home economics, and industrial education. Separation by sex is acceptable for the purpose of locker or dressing room use, facility supervision and presentation of topics in health having to do with human reproduction.

**Subp. 2. Guidance.** Each school shall provide guidance to assist pupils in making satisfactory personal adjustments and appropriate educational and vocational plans.

**Subp. 3. Evaluation of pupil growth and progress.** Each district shall provide a testing program for the purpose of measuring pupil growth and for curriculum evaluation.

The schools shall use an acceptable system, in accord with local administrative policy, for grading and making reports to parents.

Each district shall develop an appropriate program of pupil progress and promotion for its elementary, middle and secondary schools. The program shall meet the State Board of Education requirements for graduation.

**Subp. 4. Civil defense education.** Each district shall provide civil defense education in grades K to 12.

**Statutory Authority:** *MS s 121.11 subd 7*

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## REQUIREMENTS FOR PUBLIC ELEMENTARY 3500.1000

### 3500.0600 GENERAL STAFF REQUIREMENTS.

Subpart 1. **License on file.** For each teacher there shall be on file in the office of the superintendent at the beginning of each school year a copy of a valid license.

Subp. 2. **Superintendent's administrative and supervisory time.** In school districts maintaining elementary, middle, and secondary schools but employing fewer than ten teachers, the superintendent shall devote at least one-half of the school day to the administration and supervision of the schools. In school districts maintaining elementary, middle, and secondary schools but employing ten or more teachers, the superintendent shall devote at least two-thirds of the school day to the administration and supervision of the schools.

Subp. 3. **Teacher's lunch period.** Each teacher shall be provided with a duty free lunch period, scheduled according to school board policy.

**Statutory Authority:** *MS s 121.11 subd 7*

### 3500.0700 LIBRARY.

Subpart 1. **Personnel.** In all schools, library or library media service appropriate to the enrollment and educational program shall be given by persons licensed for their positions.

Subp. 2. **Materials and equipment.** The instructional collection shall consist of an adequate number of appropriate materials and equipment organized to meet pupil and teacher needs.

Subp. 3. **Facilities.** There shall be a well-equipped central library room, of a size appropriate to the enrollment in every elementary, middle, and secondary school building plus, in all new school buildings, the auxiliary space and facilities needed for work storage, viewing, listening, and conference purposes. In one- and two-room elementary schools, provisions shall be made for a library service.

**Statutory Authority:** *MS s 121.11 subd 7*

### 3500.0800 RECORDS AND REPORTS.

Subpart 1. **Procedures.** Each school district shall submit all records and reports as required by law and by the State Board of Education. There shall be maintained an efficient and accessible system for filing copies of required records and reports in the administrative office of the school district.

Subp. 2. **Permanent records.** Each school district shall keep accurate and complete individual, permanent, cumulative personal records for all pupils and shall store such records in a fireproof file or vault.

Subp. 3. **Health record review.** Each district shall assign a teacher, school nurse, or other professional person to review, at the beginning of each school year, the health record of all pupils under his or her direction. Growth, results of vision and hearing screening, and findings obtained from health assessments must be entered periodically on the pupil's health record.

**Statutory Authority:** *MS s 121.11 subd 12*

### 3500.1000 EXEMPTIONS FOR EXPERIMENTAL AND FLEXIBLE SCHOOL YEAR PROGRAMS.

Subpart 1. **Request.** A district may request approval from the State Board of Education for an experimental program of study, a four-day school week, or a flexible school year program. They shall be designed to accomplish at least one of the following:

- A. improved instructional quality;
- B. increase cost effectiveness; or
- C. make better use of community resources or available technology.

Subp. 2. **Exemption from rules.** If the proposed program is approved, the State Board of Education shall provide an exemption to rules that otherwise would apply.

Subp. 3. **Contents of proposal.** The proposal shall include: specific rules from which the district requests exemption, the goals and objectives of the program, the activities to be used to accomplish the objectives, a definite time limit which may not exceed three years, and the evaluation procedures to be used.

Subp. 4. **Involvement required.** Evidence shall be provided that the proposal has been given thorough exposure to students and parents, that the faculty has been involved in the development of the proposal, and that the proposal has the approval of the school board.

Subp. 5. **Permanent exemption.** If the evaluation at the end of the time period is positive, the State Board of Education shall authorize permanent continuation of the program and specify the rules from which the program is exempt.

**Statutory Authority:** *MS s 14.05 subd 4; 121.11 subd 12*

### PUPIL FEES

#### 3500.1050 DEFINITIONS FOR PUPIL FEES.

Subpart 1. **Applicability.** For the purposes of Minnesota Statutes, sections 120.72 to 120.76 the following terms have the meanings given them.

Subp. 2. **Curricular.** "Curricular" means those portions of the school program for which credit is granted. This definition applies equally to required or elective curricular programs.

Subp. 3. **Cocurricular.** "Cocurricular" means those portions of the school sponsored and directed activities designed to provide opportunities for pupils to participate in such experiences on an individual basis or in groups, at school and at public events, for improvement of skills. Cocurricular activities have one or more of the following characteristics:

- A. are for credit or required for graduation;
- B. are conducted at regular and uniform times during school hours, or if at times other than school hours, are established by school authorities;
- C. are directed or supervised by instructional staff in a learning environment similar to that found in courses offered for credit; and
- D. are primarily or totally funded by public monies for general instructional purposes under direction and control of the local board of education. Any deficits resulting from these activities are always subsidized by general school funds.

Subp. 4. **Noncurricular.** "Noncurricular" activities means those activities that include all direct and personal services for public school pupils for their enjoyment that are managed and generally operated under the guidance of an adult or staff member. Noncurricular activities have all of the following characteristics:

- A. are not for credit or required for graduation;
- B. are conducted for the most part during other than school hours, or if partly during school hours, at times agreed by the participants, and approved by school authorities;
- C. the content of the activities is determined primarily by the interests of the student participants and their parents with only the guidance of the staff member or other adult; and
- D. with the possible exception of direct costs of any salaries and indirect costs of the use of school facilities, the activity is self-sustaining as all other expenses are met by dues, admissions or other pupil fund raising events.

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Subp. 5. **Extracurricular.** "Extracurricular" has the same meaning as noncurricular.

Subp. 6. **Supplementary.** "Supplementary" has the same meaning as noncurricular.

Subp. 7. **Regular school day.** "Regular school day" means that which is defined in part 3500.1500 for middle and secondary pupils and in part 3500.1200 for elementary pupils.

**Statutory Authority:** *MS s 121.11 subd 7*

### SPECIAL REQUIREMENTS FOR ELEMENTARY SCHOOLS

#### 3500.1100 ELEMENTARY SCHOOL CURRICULUM.

Subpart 1. **Common branches.** The following common branches of learning, or subjects, shall be included in grades K to 6 or K to 8 in the elementary curriculum: art; health and safety; language arts, including media center skills, listening, oral communication, reading and children's literature, written communication, handwriting and spelling; mathematics; music; physical education; science and environmental education; and social studies.

Subp. 2. **Method of instruction.** The common branches may be taught separately, paired, or clustered for instructional purposes.

Subp. 3. **Physical education time requirements.** Physical education in elementary schools shall be scheduled as follows: grades one and two, one 10-minute period and one 25-minute period daily; grades three through eight, one 30-minute period daily.

**Statutory Authority:** *MS s 121.11 subd 7*

#### 3500.1200 ELEMENTARY SCHOOL DAY AND ORGANIZATION.

Subpart 1. **Length of school day.** In an elementary school, the minimum number of instructional hours per day, not including noon intermission, shall be as follows:

- A. kindergarten, 2-1/2 hours;
- B. grades 1, 2, and 3, 5 hours; and
- C. grades 4 through 8 in elementary schools, 5-1/2 hours.

Subp. 2. **Kindergarten.** Kindergarten may be scheduled separately or in combination with another grade. A licensed kindergarten teacher shall be assigned to teach kindergarten students whether the kindergarten is separate or combined with another grade.

**Statutory Authority:** *MS s 121.11 subd 7*

#### 3500.1400 ELEMENTARY SCHOOL STAFF.

Subpart 1. **Principal.** Every elementary school shall be under the immediate charge of a licensed principal.

In each school building or combination of school buildings in a district with an enrollment of 200 but less than 400 elementary pupils in grades 1 to 6, 1 to 8, K to 6, or K to 8, the principal must devote not less than one-half time to administration and supervision. Provision must be made for clerical assistance as necessary.

In each school building with an enrollment of 400 or more elementary pupils in grades 1 to 6, 1 to 8, K to 6, or K to 8, and in any combination of school buildings in a district with a total enrollment of 400 or more but less than 900 elementary pupils, the district shall provide a full-time nonteaching licensed principal and clerical assistance as necessary.

In each school building and in any combination of school buildings in a district with an enrollment of 900 or more elementary pupils in grades 1 to 6, 1 to 8, K to 6, or K to 8, the district shall provide a full-time nonteaching licensed principal, and additional professional and secretarial staff as necessary.

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Subp. 2. **Pupil-teacher ratio.** The acceptable maximum pupil-teacher ratio is 30 to 1 in any class in grades K to 6 or K to 8. The superintendent shall make a written report to the State Board of Education indicating the circumstances making an exception to this ratio necessary.

**Statutory Authority:** *MS s 121.11 subd 7*

## SPECIAL REQUIREMENTS FOR MIDDLE AND SECONDARY SCHOOLS

### 3500.1500 GENERAL PROVISIONS FOR MIDDLE AND SECONDARY SCHOOL.

Subpart 1. **Length of school day.** In all middle and secondary schools the minimum length of the school day for each pupil, exclusive of the noon intermission, shall be six hours.

Subp. 2. **Required and elective subjects.** Each of the required subject hours set forth in parts 3500.1600 and 3500.1900 to 3500.2100 must equal 60 minutes of instruction. The remaining number of hours in a school year may be used to provide required or elective subjects. The length of actual class periods may be determined by the district.

**Statutory Authority:** *MS s 121.11 subd 7*

### 3500.1600 MIDDLE SCHOOL CURRICULUM.

Subpart 1. **Common branches and hours.** The following common branches of learning, or subjects, shall be required for the hours specified in a middle school:

Subjects	Minimum hours			
	Grades 6-8	Grades 6-9	Grades 5-8	Grades 5-9
Art	120	120	150	150
Communication skills	480	600	760	880
Health	90	90	120	120
Home economics or Industrial education	120	160	120	160
Mathematics	360	480	480	600
Music	120	120	150	150
Physical education	240	320	320	400
Science	360	480	480	600
Social studies	360	480	480	600

Subp. 2. **Subjects required in grades.** Communication skills, mathematics, physical education, science and social studies shall be required each year. Physical education shall be scheduled throughout the academic year for grades 7, 8, and 9. Art, music, and health shall be required in grades 5 and 6.

**Statutory Authority:** *MS s 121.11 subd 7*

### 3500.1800 MIDDLE SCHOOL STAFF.

Subpart 1. **Principal.** Every middle school shall be under the immediate charge of a licensed principal. A middle school principal must hold either a valid elementary or secondary school principal's license. A middle school principal shall be assigned full time responsibility to the middle school.

Subp. 2. **Teacher.** A middle school teacher shall hold a valid license appropriate for the subject or area taught.

**Statutory Authority:** *MS s 121.11 subd 7*

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## REQUIREMENTS FOR PUBLIC ELEMENTARY 3500.2100

### 3500.1900 CURRICULUM FOR JUNIOR SECONDARY SCHOOLS.

Subpart 1. **Common branches and hours.** The following common branches of learning, or subjects, shall be required for the hours specified in a secondary school composed of grades 7, 8, and 9:

Subjects	Minimum Hours
Art	90
Communication skills	360
Health	60
Home economics or Industrial education	150
Mathematics	360
Music	90
Physical education	240
Science	240
Social studies	360

Subp. 2. **Scheduling.** Period length and grade placement of required and elective hours are at the discretion of the school board. However, each pupil must take at least 80 hours of physical education each year. Physical education must be scheduled throughout the academic year.

**Statutory Authority:** *MS s 121.11 subd 7*

### 3500.2000 CURRICULUM FOR THREE-YEAR SENIOR SECONDARY SCHOOLS.

Subpart 1. **Common branches and hours.** The following common branches of learning, or subjects, and credits shall be required in a secondary school composed of grades 10, 11, and 12:

Subjects	Minimum Hours	Credit
Communication skills	360	3
Health	60	1/2
Physical education in grade 10	60	1/2
Social studies	240	2

Subp. 2. **Social studies.** Social studies must consist of 120 hours or one credit of studies of America, which includes American history, and 120 hours or one credit of contemporary world problems.

**Statutory Authority:** *MS s 121.11 subd 7*

### 3500.2100 CURRICULUM FOR FOUR-YEAR SENIOR SECONDARY SCHOOLS.

Subpart 1. **Common branches and hours.** The following common branches of learning, or subjects, and credits shall be required in a secondary school composed of grades 9, 10, 11, and 12, in addition to any unmet requirements from part 3500.1900:

Subjects	Minimum Hours	Credit
Communication skills	480	4
Social studies	360	3
Mathematics	120	1
Science	120	1
Physical education in grade 9	80	2/3
in grade 10	60	1/2
Health	60	1/2

Subp. 2. **Social studies.** Social studies must consist of 120 hours or one credit of studies of America, which includes American history, and 120 hours or one credit of contemporary world problems. The remaining hours may be determined by the district.

**Statutory Authority:** *MS s 121.11 subd 7*

**3500.2900 BASIS FOR SECONDARY SCHOOL CREDIT.**

Subpart 1. **Basic requirements.** Satisfactory completion of at least 120 hours shall be the basis for a credit course, or subject, in grades 9, 10, 11, and 12 in four-year secondary schools and in grades 10, 11, and 12 in three-year secondary schools. Length of periods and frequency of meeting may be determined by the district. A credit may be divided into semester, trimester, or quarter units by offering courses covering 60, 40, or 30 hours respectively.

Credit may be given on a performance basis for any course if a student successfully completes an examination approved by the district covering the content ordinarily included in the subject.

A district may accept the transfer of credit awarded by a postsecondary institution according to an agreement entered into under Minnesota Statutes, section 123.3511.

Subp. 2. **Summer school.** Credit toward graduation by secondary schools for subjects taken in summer school shall be on the same basis as a regular school program.

Subp. 3. **Private tutoring.** Credit toward graduation for work completed through any form of private tutoring by a licensed teacher may be granted by a secondary school.

Subp. 4. **Correspondence courses.** Correspondence courses, at district expense, may be offered for credit toward graduation by any secondary school only to provide:

A. additional courses in secondary schools with limited course offerings; or

B. an opportunity for special secondary pupils to meet requirements for secondary school graduation when the pupil's handicap prevents the pupil from attending school regularly; or

C. an opportunity for secondary pupils who, due to unusual circumstances, are unable to be in attendance at school; or

D. an opportunity for secondary school drop-outs.

Correspondence courses to be offered shall be approved by the commissioner of education and by the local school administration before pupils are enrolled. Pupils taking such courses shall be under the supervision and guidance of a teacher assigned to such work.

**Statutory Authority:** *MS s 121.11 subd 7*

**3500.3100 COMPLETION OF SECONDARY SCHOOL REQUIREMENTS.**

Subpart 1. **Graduation requirements.** Each student must successfully complete 15 credits earned in a three-year secondary school, or 20 credits earned in a four-year secondary school in order to graduate. These credits must be the same subjects required in parts 3500.2000 and 3500.2100 and elective subjects.

Subp. 2. **Early graduation.** Early graduation may be allowed for a student who accumulates the required number of credits for graduation before completing the usual years of secondary school. A student graduating after the normal graduation date cannot be claimed as an early graduate.

Subp. 3. **Attendance certificate.** A secondary school attendance certificate, indicating completion of the secondary school period may be given by a school board to a student who does not meet all the requirements for graduation.

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## REQUIREMENTS FOR PUBLIC ELEMENTARY 3500.3600

Subp. 4. **Equivalency certificate.** A secondary school equivalency certificate may be issued by the State Board of Education to a resident of Minnesota 19 years of age or over who needs the certificate for advancement in an occupational field or for higher education if both of the following are met:

A. the person makes written application on forms, prepared and provided by the Department of Education, which are available on request from any of the approved General Educational Development Testing Centers, most secondary schools, or from the Department of Education; and

B. the person obtains a minimum standard score of 35 on each of the five General Educational Development Tests and an average standard score of at least 45 on all five tests.

General Educational Development tests shall be administered only by official agencies established by the American Council on Education and approved by the commissioner of education.

The minimum age requirement may be waived if supportive evidence of special need is provided by a recognized rehabilitative agency.

**Statutory Authority:** *MS s 120.80; 121.11 subd 7*

### 3500.3500 EXCEPTIONS TO THE LENGTH OF SCHOOL DAY.

Exceptions to a six-hour school day required in all secondary schools may be made as follows:

A. The State Board of Education may approve community-based programs for all or part of the school day. Employment-related, community-based programs in excess of one hour per day shall be supervised by the vocational-technical division. Nonemployment related, community-based programs in excess of one hour per day shall be supervised by the division of instruction.

B. The local board of education may adopt a policy allowing adjustments in the length of the school day for individual students if all of the following circumstances exist:

(1) The student is at least 16 years of age.

(2) The student attends supervised classes in usual school facilities for not less than five hours per day.

(3) The secondary school principal designs for each student a work-study option or other nonwork experience of real educational value. A written record must be maintained indicating the type of work-study option or other educational experience to be pursued, the reason for the exemption, and the method of ensuring that the program is actually pursued.

(4) The student's parent approves the option in writing.

**Statutory Authority:** *MS s 121.11 subd 7*

### 3500.3600 ADMISSION TO SECONDARY SCHOOLS.

Subpart 1. **Grades 7, 8, and 9.** Admission to grades 7, 8, or 9 of any secondary school shall be limited to pupils who have satisfactorily completed the work of the preceding grade and to special pupils who, in the judgment of the district, may profit by such work.

Subp. 2. **Secondary school.** Admission as regular pupils to any specified year of a three- or four-year secondary school shall be based upon the following conditions: pupils, from public or nonpublic schools or schools with equivalent standards in this state or any other state, shall submit admission records showing successful completion of the preceding years' work. Other pupils shall furnish evidence of educational attainment satisfactory to the administrator. If such evidence cannot be shown, examinations approved by school authorities shall be administered to the pupil by the administrator.

**Statutory Authority:** *MS s 121.11 subd 7*



**3500.3700 SECONDARY SCHOOL STAFF.**

Subpart 1. **Licensed principal.** Every secondary school shall be under the direction of a licensed principal.

Subp. 2. **Licensed teacher.** A secondary school teacher shall be assigned to teach subjects and perform services only in areas in which the teacher is properly licensed.

Subp. 3. **Teaching assignment.** The maximum assignment of subjects for any secondary school teacher shall be five periods in a six-period day or six periods in a seven- or eight-period day. Each teacher shall have one period during the school day for preparation and conferences.

Subp. 4. **Maximum number of pupils.** The maximum number of pupils per day for a secondary school teacher is 160 except for teachers of performing music groups and physical education classes. An acceptable class size for instruction in physical education shall not exceed 40 pupils.

**Statutory Authority:** *MS s 121.11 subd 7*

**SCHOOL BUILDINGS AND SITES**

**3500.3900 BUILDINGS AND SITES, COMPLIANCE.**

To obtain the approval by the commissioner of education of plans and specifications, the following requirements of the State Board of Education shall be complied with.

**Statutory Authority:** *MS s 121.15*

**3500.4000 SCHOOLHOUSE PLANS; SUBMISSION AND APPROVAL.**

Plans and specifications for the erection, betterment, enlargement, or remodeling of a school building required to be submitted to the commissioner of education in accordance with Minnesota Statutes, section 121.15 shall be submitted in accordance with the procedure set forth by the commissioner of education. When approved, one set of plans shall be placed on file in the State Department of Education and the other returned to the school board concerned, with the approval endorsed thereon.

Minor changes in approved plans and specifications made either before or after contracts are let, shall conform to the recommendations of the State Board of Education stated in the Guide for Educational Planning of Public School Buildings and Sites; all major changes shall be approved by the commissioner of education before they become effective.

Approval of plans and specifications by the commissioner of education shall be held as effective for a period of one year only, after the date of approval, provided a construction contract has not been awarded.

Upon the completion and acceptance of a new school building, repair, enlargement, or remodeling thereof, the school board shall certify to the commissioner of education, in a manner set forth by the commissioner, that said new building, repair, enlargement, or remodeling thereof, was constructed and completed in accordance with the approved plans and specifications.

**Statutory Authority:** *MS s 121.15*

**3500.4100 SITES.**

In the selection of a school site, the school board shall be guided by the suggested criteria for school site selection stated in the Guide for Educational Planning of Public School Buildings and Sites; and during the period of consideration of a site, before a contract for its purchase is made, the school board or its representative(s) shall confer with the commissioner, in a manner set forth by him, on the educational adequacy of the site and its suitability for sound school construction and maintenance.

**Statutory Authority:** *MS s 121.15*

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## REQUIREMENTS FOR PUBLIC ELEMENTARY 3500.4500

### 3500.4200 FACILITIES.

There shall be provision for instructional areas adequate and sufficient to carry out the educational requirements mandated by statute or by the rules of the State Board of Education, such as standards for classification.

**Statutory Authority:** *MS s 121.15*

### 3500.4300 CONSTRUCTION.

Construction details shall conform to accepted good practice for public school buildings. Structural design, plumbing and sanitary facilities, heating and ventilation, electrical work, and provision for visual and auditory comfort and efficiency shall reasonably conform to the recommendations of the State Board of Education stated in the Guide for Educational Planning of Public School Buildings and Sites.

**Statutory Authority:** *MS s 121.15*

### 3500.4400 FIRE SAFETY.

Exits, stairs, and corridors shall be so placed and spaced as to permit ease of pupil circulation in the building and to ensure ready escape from the building in case of emergency. Fire protective features of school buildings, such as types of construction, exits, stairs, corridors, fire alarm system, fire fighting equipment, boiler and furnace rooms, and installation of incinerators or destructors must comply with the fire safety code of the state fire marshal.

**Statutory Authority:** *MS s 121.15*

## HEALTH RECORDS

### 3500.4500 HEALTH RECORDS; REQUIREMENTS.

Each teacher, or other professional personnel, so assigned, shall check the health record of every pupil under her direction at the beginning of each school year so that the proper entries may be made on the permanent record card at the close of the school year. In addition, the height, weight, vision, and hearing screening results, as well as the findings obtained from health inspections and examinations, shall be entered periodically on the health record of the pupil.

**Statutory Authority:** *MS s 121.11 subd 7*