

MINNESOTA RULES 1989

2815 PROGRAM REQUIREMENTS FOR PUBLIC SCHOOLS 3500.0500

CHAPTER 3500 STATE BOARD OF EDUCATION PROGRAM REQUIREMENTS FOR PUBLIC SCHOOLS

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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.

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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*

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*

3500.0605 STAFFING REQUIREMENTS FOR PRINCIPALS.

Subpart 1. Licensed principal required. Every elementary, middle, and secondary school must be under the immediate direction of an appropriately licensed principal.

A. In any elementary school building enrolling 350 or more elementary pupils, at least one full-time nonteaching licensed elementary principal must be assigned for the administration and supervision of that building.

B. In any secondary school building enrolling 350 or more secondary pupils, at least one full-time nonteaching licensed secondary principal must be assigned for the administration and supervision of that building.

C. Notwithstanding the number of students, every middle school as defined in Minnesota Statutes, section 120.05, subdivision 2, clause (2) must be under the direction of a full-time licensed principal. Every person employed as a middle school principal must hold either an elementary principal's license or a secondary principal's license.

D. In any elementary school building enrolling at least 150, but fewer than 350 elementary pupils, at least one licensed elementary principal must be assigned to that building and must devote at least one-half time to administration and supervision.

E. In any secondary school building enrolling at least 150, but fewer than 350 secondary pupils, at least one licensed secondary principal must be assigned to that building and must devote at least one-half time to administration and supervision.

F. In any elementary school building enrolling fewer than 150 elementary pupils, at least one licensed elementary principal must be assigned to that building and must devote at least one-half time to administration and supervision. The superintendent may assume the duties of the elementary principalship if licensed as an elementary principal and must devote at least one-half time to such duties.

G. In any secondary school building enrolling fewer than 150 secondary pupils, at least one licensed secondary principal must be assigned to that building

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and must devote at least one-half time to administration and supervision. The superintendent may assume the duties of the secondary principalship if licensed as a secondary principal and must devote at least one-half time to such duties.

H. In any combination of two elementary school buildings pursuant to cooperative arrangements between districts with a combined enrollment not exceeding 350 elementary pupils, a full-time nonteaching licensed elementary principal must be assigned to those buildings and must devote one-half time to administration and supervision of each building.

I. In any combination of two secondary school buildings pursuant to cooperative arrangements between districts with a combined enrollment not exceeding 350 secondary pupils, a full-time nonteaching licensed secondary principal must be assigned to those buildings and must devote one-half time to administration and supervision of each building.

J. The commissioner of education may grant to a school district an assignment exemption from the requirements of items F and G, based on demonstrated hardship. Such hardship shall consist of unique school district situations involving geography, sparsity of population, distance, and enrollment problems. The exemption shall be granted for a school year or a portion of a school year. A request for the hardship assignment exemption must be submitted by the superintendent to the commissioner of education with full documentation detailing the problems involved in full compliance and becomes effective upon review and approval by the State Board of Education.

Subp. 2. Approval for exception. Subject to the following conditions, the commissioner of education may issue a letter of approval to a school district annually which will allow the district to employ a person who is not fully licensed to perform the duties of a principal if the school district is unable to employ a fully licensed elementary or secondary school principal.

A. Letters of approval must be issued to school districts only in instances where the individual is enrolled in an approved specialist degree or six-year program in school administration and can show evidence that the program can be completed within three school years.

B. Letters of approval must be applied for annually and may not exceed the three years stated in item A for any one individual.

C. The school superintendent must provide written verification of the district's inability to contract with a fully licensed elementary or secondary school principal for a position. The verification must state the means by which the position was advertised and that no licensed principal who wishes to assume the position has been placed on unrequested leave by the district.

Statutory Authority: *MS s 121.11 subds 7,12; 123.34 subd 10; 125.05*

History: *10 SR 1427*

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*

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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;

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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 moneys 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.

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*

3500.1150 REQUIRED OFFERINGS FOR ELEMENTARY SCHOOLS.

Subpart 1. Curriculum offerings. A school district shall offer broad and balanced elementary school curriculum that is appropriate to the developmental levels of the learners in the physical, social, emotional, and cognitive areas. The curriculum must be based on the philosophy, goals, and objectives developed by the school board and adapted by the board for each elementary school to reflect the individual school needs.

Subp. 2. Required curriculum offerings. The curriculum offerings listed in this

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subpart are required curriculum offerings or common branches for kindergarten through the last elementary grade in each elementary school.

A. Communications/language arts, including:

- (1) listening/speaking;
- (2) reading/writing;
- (3) children's literature; and
- (4) language study: structure and meaning.

B. Mathematics.

C. Art, including:

- (1) observing;
- (2) producing; and
- (3) valuing and judging.

D. Music, including:

- (1) describing sounds;
- (2) producing sounds; and
- (3) organizing sounds.

E. Science, including:

- (1) earth science;
- (2) life science;
- (3) physical science; and
- (4) process skills.

F. Social studies from local to global, including:

- (1) anthropology;
- (2) economics;
- (3) geography;
- (4) history;
- (5) political science;
- (6) psychology; and
- (7) sociology.

G. Physical education, including:

- (1) body management;
- (2) motor and physical fitness; and
- (3) motor skills.

H. Health, including:

- (1) personal health;
- (2) mental health;
- (3) growth and development;
- (4) chemical and substances use and abuses;
- (5) nutrition; and
- (6) safety.

I. Environmental education, including:

- (1) natural context;
- (2) social context;
- (3) valuing context; and
- (4) action context.

J. Media and technology, including:

- (1) equipment familiarity and use;
- (2) materials retrieval, selection, and use;

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- (3) media production; and
- (4) viewing skills.

Subp. 3. **Optional curriculum offerings.** Other subjects as determined by the philosophy and goals of the district may be included in the curriculum, such as world languages and cultures, play in kindergarten, industrial arts, and home economics.

Subp. 4. **Balance among curriculum offerings.** A reasonable balance among required curriculum offerings shall consist of the following distribution at a minimum, yearly: one-third for communications/language arts; one-third for mathematics, art, and music; one-third for science, social studies, physical education, and health; provided that the curriculum balance may be adjusted to accommodate the needs of individual students. Optional curriculum offerings shall not alter the balance among required curriculum offerings.

Subp. 5. **Integration of required curriculum offerings.** Environmental education and media and technology skills shall be taught in the context of the other required curriculum offerings. Although particular curriculum offerings in subpart 4 are clustered to indicate emphasis in a balanced elementary school curriculum, any curriculum offering may be taught in combination or cluster with any of the other offerings.

Subp. 6. **Components.** A school district's elementary curriculum must include the components listed in this subpart for each curriculum offering:

A. a coordinated scope and sequence from kindergarten through the last grade in each elementary school with school district coordination through grade 12;

B. a means of evaluation of each curriculum offering and its coordinated scope and sequence; and

C. a process for review on a regular cycle not to exceed eight years, that is used to modify each curriculum offering as necessary.

Subp. 7. **Definitions.** In subpart 6:

A. "Scope" means the breadth and depth of a curriculum offering as defined by its content and objectives.

B. "Sequence" means the arrangement of objectives in a logical and developmental order.

Statutory Authority: *L 1984 c 463 art 7 s 26 subd 2*

History: *10 SR 16*

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. [Repealed, 10 SR 1427]

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. A recommended pupil-teacher ratio

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for music teachers including music specialists is an average of 240 pupils per day per week in grades K to 6 or K to 8. A school board must adopt a written policy specifying the circumstances when a ratio in this subpart may be exceeded. The policy must be adopted and filed with the State Board of Education by August 1 each year. An amendment made by the school board must be filed with the State Board of Education within ten days of its adoption.

Statutory Authority: *MS s 121.11 subds 7,12*

History: *11 SR 1407*

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. [Repealed, 10 SR 1427]

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*

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:

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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*

3500.2010 REQUIRED CURRICULUM OFFERINGS FOR THREE-YEAR SENIOR SECONDARY SCHOOLS.

Subpart 1. **Required during grades 10 to 12 program.** The subjects listed in subpart 2 are required to be offered to students in a secondary school having grades 10 to 12. Except for physical education, each of the listed subjects must be made available over the three-year period for the minimum number of clock hours shown in subpart 2. Physical education must be offered for a minimum of 60 clock hours in grade 10. One credit/hour is equal to 120 clock hours. The minimum requirements may be expressed in clock hours or credit/hours.

Subp. 2. **Schedule.**

Subjects	Minimum Clock Hours	Credit/Hours
Communication skills	480	4
Mathematics	360	3
Science	360	3
Social studies	360	3
One modern-classical language	240	2
Music	240	2
Visual arts	240	2
Industrial arts	120	1

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Health	60	1/2
Physical education in grade 10	60	1/2
Electives, local district choice in five subject areas	1,200	10

Subp. 3. Required offerings without minimum hours. The programs in items A and B must be offered to students. The number of clock hours to be devoted to each is up to the local school board. Satisfactory completion will be based on locally determined learner outcomes which are defined as knowledge, skills, or understandings that an individual student derives from a learning experience.

A. A school district must provide a career education program developed by involving parents or guardians and the community. The program must be designed to assist pupils in making career decisions including course selections.

B. A school district must provide an information technology program to meet individual student needs. Information technology includes such things as student learning about and with one or more of the following: computers, telecommunications, cable television, interactive video, film, low power television, satellite communications, and microwave communications. Information technology may be integrated with course content of other subject areas.

Statutory Authority: *L 1983 c 314 art 8 s 23; Ms s 121.11 subd 7*

History: 9 SR 989

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*

3500.2110 REQUIRED CURRICULUM OFFERINGS FOR FOUR-YEAR SENIOR SECONDARY SCHOOLS.

Subpart 1. Required during grades 9 to 12 program. The subjects listed in subpart 2 are required to be offered to students in a secondary school having grades 9 to 12. Except for physical education, each of the listed subjects must be made available over the four-year period for the minimum number of clock hours shown in subpart 2. Physical education must be offered for a minimum of 80 clock hours in grade 9, and 60 clock hours in grade 10. One credit/hour is equal to 120 clock hours. The minimum requirements may be expressed in clock hours or credit/hours.

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Subp. 2. Schedule.

Subjects	Minimum Clock Hours	Credit/Hours
Communication skills	600	5
Mathematics	480	4
Science	480	4
Social studies	480	4
One modern-classical language	240	2
Music	240	2
Visual arts	240	2
Industrial arts	120	1
Health	60	1/2
Physical education		
in grade 9	80	2/3
in grade 10	60	1/2
Electives, local district choice in five subject areas	1,200	10

Subp. 3. **Required offerings without minimum hours.** The programs in items A and B must be offered to students. The number of clock hours to be devoted to each is up to the local school board. Satisfactory completion will be based on locally determined learner outcomes which are defined as knowledge, skills, or understandings that an individual student derives from a learning experience.

A. A school district must provide a career education program developed by involving parents or guardians and the community. The program must be designed to assist pupils in making career decisions including course selections.

B. A school district must provide an information technology program to meet individual student needs. Information technology includes such things as student learning about and with one or more of the following: computers, telecommunications, cable television, interactive video, film, low power television, satellite communications, and microwave communications. Information technology may be integrated with course content of other subject areas.

Statutory Authority: *L 1983 c 314 art 8 s 23; Ms s 121.11 subd 7*

History: 9 SR 989

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.

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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 dropouts.

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.

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.

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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. [Repealed, 10 SR 1427]

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. The recommended average number of pupils per day per week for a secondary teacher of performing music groups is 180. A school board must adopt a written policy specifying the circumstances when the ratio for performing music groups may be exceeded. The policy must be adopted and filed with the State Board of Education by August 1 each year. An amendment made by the school board must be filed with the State Board of Education within ten days of its adoption.

Statutory Authority: *MS s 121.11 subds 7,12*

History: 11 SR 1407; 13 SR 1860

SCHOOL BUILDINGS AND SITES

3500.3900 BUILDINGS AND SITES, COMPLIANCE.

To obtain the approval by the commissioner of education of plans and

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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*

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

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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*

3500.4500 [Repealed, 9 SR 834]

AUTOMOBILE AND MOTORCYCLE DRIVER EDUCATION PROGRAMS

3500.5000 AUTOMOBILE DRIVER EDUCATION PROGRAMS.

A school district, for the purpose of Minnesota Statutes, section 171.04, offering automobile driver education programs, directly or indirectly, shall comply with parts 3500.5010 to 3500.5030.

Statutory Authority: *MS s 169.974 subd 2*

History: 9 SR 834

3500.5010 INSTRUCTIONAL REQUIREMENTS FOR AUTOMOBILE DRIVER EDUCATION.

Subpart 1. Classroom curriculum. A written classroom curriculum guide must be available to and used by an instructor conducting classroom instruction. The curriculum presented to the students must include at least the following opportunities:

A. to analyze and assess several decision-making models and factors influencing highway-user decisions;

B. to analyze and simulate making decisions about the effect of alcohol and other drugs on behavior and driving performance;

C. to analyze and practice making decisions about using occupant restraints;

D. to identify and analyze a variety of driving decisions about highway users and roadway characteristics;

E. to analyze and practice making decisions about a vehicle's speed under different driving conditions;

F. to know the content and purpose of motor vehicle and traffic laws and rules for safe driving performance;

G. to identify, analyze, and describe proper procedures for a variety of driving situations;

H. to gather information and practice making decisions about automobile ownership and maintenance;

I. to identify, analyze, and practice making decisions related to drivers' attitudes and emotions; and

J. to explore alternative ways to become better drivers and to improve the highway transportation system.

Subp. 2. Laboratory curriculum. A written laboratory curriculum guide must be available to and used by each instructor conducting laboratory instruction. The curriculum presented to the students must include at least the following:

A. orientation to the purpose, content, and procedures for laboratory instruction;

B. orientation to gauges and instruments, and preparing to move the vehicle;

C. basic skills in speed control and tracking on forward and backward paths;

D. orientation to driving and initial techniques in scanning for, recognizing, and responding to obstacles;

E. basic skills in parking, turning, backing, turning around, lane changing, crossing intersections, and passing;

F. reduced-risk city driving, highway driving, freeway driving, and interacting with other highway users;

G. strategies for perceiving and responding to adverse and special conditions and emergencies; and

H. formal evaluation, self-evaluation, and planning for future improvement.

Subp. 3. Place for on-street instruction. On-street instruction must be conducted on a planned practice driving route. It may not be conducted on actual routes used for road tests for state driver licenses.

Subp. 4. Classroom instruction. At least 30 hours of classroom instruction must be scheduled over no less than one week and not more than 36 weeks. No more than three clock hours of classroom instruction may be scheduled per day for any student.

Subp. 5. Laboratory instruction. At least six hours of laboratory instruction, or the equivalent, must be scheduled over no less than one week and not more than 12 weeks. No more than two clock hours of laboratory instruction or the equivalent may be scheduled per day for any student.

A. If automobile-driving simulator instruction is provided and is not counted as classroom time, four clock hours of simulator instruction may be substituted for one clock hour of on-street instruction.

B. If off-street driving range instruction is provided, two clock hours of driving range instruction may be substituted for one clock hour of on-street instruction.

C. When simulator or driving range instruction is substituted for on-street instruction, the on-street instruction time may not be reduced to less than three clock hours. However, when both simulator and driving range instruction are substituted, on-street instruction time may not be reduced to less than two clock hours.

D. The student-instructor ratio for on-street laboratory instruction scheduled may not be less than two students per instructor or more than three students per instructor during a single class period.

Subp. 6. Sequence when simultaneous instruction. When both phases of the program are conducted during the same time period, at least five clock hours of classroom instruction must be completed before beginning laboratory instruction. The laboratory instruction must be dispersed throughout the classroom instruction.

Subp. 7. Sequence when successive instruction. Successful completion of classroom instruction is mandatory for enrollment in laboratory instruction, when the two phases of the program are conducted during separate time periods. The time period between the phases of instruction may not exceed six months.

Subp. 8. Occupant restraints. Instructors must ensure that all vehicle occupants use restraints at all times during laboratory instruction.

Subp. 9. Permit or driver's license. Instructors must ensure that a student is in actual possession of a valid Minnesota driver instruction permit or driver's license before giving on-street driving instruction.

Subp. 10. Course credit. Driver education courses may carry credit toward graduation for students, whether offered directly or indirectly, as a separate course or part of another course. Credit for driver education must be granted under the same standards that credit is granted for satisfactory completion of other courses.

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Subp. 11. Program modification. A school district which does not provide the complete laboratory instruction may offer classroom instruction only after it has consulted with an approved on-street provider within the immediate area. The district must modify its program to minimize duplication of training and ensure coordination of classroom and laboratory instruction.

Subp. 12. Authorized school official. A school district must identify an authorized school official to be responsible for certifying satisfactory completion of the program. The official need not be licensed under part 8700.4900 unless that person also is an instructor in the program.

A. When a student satisfactorily completes the driver education program, including both classroom and on-street instruction, the authorized school official must furnish the student a certificate of course completion within 15 calendar days.

B. When a student satisfactorily completes classroom instruction and intends to complete the program with another provider, the authorized school official must furnish the student a verification statement of completion of classroom instruction within 15 calendar days.

C. When a student under 16 years of age fails to continue or successfully complete the driver education course, including on-street instruction, the authorized school official must immediately notify the Department of Public Safety, Driver and Vehicle Services Division.

Subp. 13. Student record. A permanent record must be maintained for each student completing either the classroom or laboratory phase of the automobile driver education course. The record must contain the student's legal name, including first, middle, and last; birthdate; and the completion date for each phase of the course.

Subp. 14. Annual report. A school district desiring approval for its automobile driver education program must submit an annual report to the Department of Education, on forms supplied by it, before conducting the course. The annual report must identify the authorized school official and all instructors who will be teaching students and each instructor's driver's license number.

Statutory Authority: *MS s 169.974 subd 2*

History: 9 SR 834

3500.5020 VEHICLE REQUIREMENTS FOR AUTOMOBILE DRIVER EDUCATION.

Subpart 1. Safety standards. A vehicle used for laboratory instruction for automobile driver education must comply with federal and state motor vehicle safety standards for the model year of the vehicle.

Subp. 2. Required equipment. A vehicle used for on-street instruction must have the following equipment:

A. dual control brakes;

B. outside and rearview mirror for the driver's use and separate rearview mirror for the instructor's use;

C. sunvisors for both the driver and the front seat passenger;

D. windshield washers, wipers, and defroster; and

E. occupant restraints for each occupant of the vehicle.

Subp. 3. Display of sign. A vehicle used for on-street instruction must conspicuously display a sign on the rear that reads "Student Driver." The background and letters of the sign must be of contrasting colors. The lettering must be at least two but not more than five inches high. The sign must be removed when the vehicle is used for purposes other than driver education instruction.

Subp. 4. Required maintenance. A vehicle used for laboratory instruction must be maintained in safe operating condition through routine care and servicing.

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Subp. 5. Firearms, hazardous or toxic substances prohibited. Firearms or hazardous or toxic substances may not be transported in a driver education vehicle. For the purpose of this subpart, "firearms" has the definition given it in Minnesota Statutes, section 97A.015, subdivision 20; "hazardous substances" and "toxic substances" have the definitions given them in Minnesota Statutes, section 24.33, clauses (d) and (e). This subpart does not apply to fuel carried in the vehicle's fuel tank or any other substance normally being used by the vehicle while it is in motion.

Subp. 6. Insurance or self-insurance required. The district shall provide a plan of reparation security covering each vehicle used and complying with the Minnesota No-Fault Automobile Insurance Act, Minnesota Statutes, sections 65B.41 to 65B.71. However, residual liability coverage and uninsured motorist coverage must be provided in the following amounts: not less than \$100,000 because of bodily injury to or death of any one person in any one accident; not less than \$300,000 because of bodily injury to or death of two or more persons in any one accident; and not less than \$50,000 because of damage to or destruction of property of others in any one accident.

Statutory Authority: *MS s 169.974 subd 2*

History: *9 SR 834; L 1986 c 386 art 1 s 2*

3500.5030 EXEMPTION FOR EXPERIMENTAL PROGRAM.

A school district desiring an exemption from parts 3500.5010 to 3500.5020 must follow the procedures contained in part 3500.1000.

Statutory Authority: *MS s 169.974 subd 2*

History: *9 SR 834*

3500.5040 MOTORCYCLE DRIVER EDUCATION PROGRAMS.

A school district, for the purpose of Minnesota Statutes, section 169.974, subdivision 2, offering motorcycle driver education programs, directly or indirectly, shall comply with parts 3500.5050 to 3500.5070.

Statutory Authority: *MS s 169.974 subd 2*

History: *9 SR 834*

3500.5050 INSTRUCTIONAL REQUIREMENTS FOR MOTORCYCLE DRIVER EDUCATION.

Subpart 1. Classroom curriculum. A written classroom curriculum guide must be available to and used by an instructor conducting classroom instruction. The curriculum presented to the students must include at least the following opportunities:

A. to become familiar with the purpose, content, and procedures for classroom instruction;

B. to learn the location and operation of motorcycle controls and indicators;

C. to identify, analyze, and practice making decisions about proper protective gear;

D. to identify and become familiar with the procedures for starting, riding, and stopping a motorcycle;

E. to learn procedures for turning, changing gears, and using both brakes to stop a motorcycle;

F. to identify basic riding strategies and prepare to ride safely in traffic;

G. to become familiar with the various methods used to minimize, separate, and compromise riding hazards;

H. to learn procedures for passing, group riding, and night riding;

I. to prepare for handling unusual or emergency situations; and

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J. to gather information and practice making decisions about selecting, insuring, and maintaining a motorcycle.

Subp. 2. Laboratory curriculum. A written laboratory curriculum guide must be available to and used by an instructor conducting laboratory instruction. The curriculum presented to the students must include at least the following:

A. orientation to the purpose, content, and procedures for laboratory instruction;

B. mounting, dismounting, starting, stopping, walking the cycle, clutch friction point, and riding in a straight line;

C. circles, weaving, sharp turns, and straight line shifting;

D. braking, turning, adjusting speed, shifting, and accelerating in a turn;

E. simulated on-street riding and initial scanning techniques for recognizing and responding to obstacles;

F. passing, rear wheel skids, and quick stops;

G. riding on pegs, lane changing, and stopping on a curve;

H. reduced-risk urban, suburban, and rural riding techniques; and

I. formal evaluation, self-evaluation, and planning for future improvement.

Subp. 3. Place for on-street instruction. On-street instruction must be conducted on a planned practice driving route. It may not be on actual routes used for road tests for state driver licenses.

Subp. 4. Classroom instruction. At least eight clock hours of classroom instruction must be scheduled. No more than three clock hours of classroom instruction may be scheduled per day for any student.

Subp. 5. Laboratory instruction. Laboratory instruction must include at least six clock hours of instruction. No more than two clock hours of laboratory instruction may be scheduled per day for a student.

Subp. 6. Sequence when simultaneous instruction. When both phases of the program are conducted during the same time period, at least two clock hours of classroom instruction must be completed before beginning laboratory instruction. The laboratory instruction must be dispersed throughout the classroom instruction.

Subp. 7. Sequence when successive instruction. Successful completion of the classroom phase is mandatory for enrollment in the laboratory phase, when the two phases of the program are conducted during separate time periods. The time period between the phases of instruction may not exceed one month.

Subp. 8. Student-instructor ratio. The student-instructor ratio may not exceed three students per instructor for on-street instruction and eight students per instructor for off-street driving range instruction.

Subp. 9. Protective clothing. Instructors must ensure that all students, during laboratory instruction, wear helmets, eye protective devices, and protective clothing, including gloves, jackets or long-sleeved shirts, long pants, and leather shoes or boots which cover the foot.

Subp. 10. Driver's license. Instructors must ensure that a student is in actual possession of a valid standard Minnesota driver's license before giving classroom instruction and a valid two-wheeled vehicle instruction permit before giving on-street instruction.

Subp. 11. Program modification. A school district that does not provide the complete laboratory instruction may offer classroom instruction only after it has consulted with an approved on-street provider within the immediate area. The district must modify its program to minimize duplication of training and ensure coordination of classroom and laboratory instruction.

Subp. 12. Authorized school official. A school district must identify an

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authorized school official to be responsible for certifying satisfactory completion of the program. The official need not be licensed under part 8700.4900 unless that person also is an instructor in the program.

A. When a student satisfactorily completes the motorcycle driver education program, including both classroom and laboratory instruction, the authorized school official must furnish the student a certificate of course completion within 15 calendar days.

B. When a student satisfactorily completes classroom instruction and intends to complete the program with another provider, the authorized school official must furnish the student a verification statement of completion of classroom instruction within 15 calendar days.

Subp. 13. **Student record.** A permanent record must be maintained for a student completing either the classroom or laboratory phase of the motorcycle driver education course. The record must contain the student's legal name, including first, middle, and last; birthdate; and the completion date for the phase of the course.

Subp. 14. **Annual report.** A school district desiring approval for its motorcycle driver education program must submit an annual report to the Department of Education, on forms supplied by it, before conducting the course. The annual report must identify the authorized school official and the instructors who will be teaching students and each instructor's driver's license number.

Statutory Authority: *MS s 169.974 subd 2*

History: 9 SR 834

3500.5060 MOTORCYCLE REQUIREMENTS FOR MOTORCYCLE DRIVER EDUCATION.

Subpart 1. **Safety standards.** A motorcycle used for laboratory instruction for motorcycle driver education must comply with all federal and state motor vehicle safety standards for the model year of the motorcycle.

Subp. 2. **Required maintenance.** A motorcycle used for laboratory instruction must be maintained in safe operating condition through routine care and servicing.

Subp. 3. **Insurance or self-insurance required.** The school district must provide a plan of reparation security covering each vehicle used. Residual liability coverage and uninsured motorist coverage must be provided in the following amounts: not less than \$100,000 because of bodily injury to or death of any one person in any one accident; not less than \$300,000 because of bodily injury to or death of two or more persons in any one accident; and not less than \$50,000 because of damage to or destruction of property of others in any one accident.

Statutory Authority: *MS s 169.974 subd 2*

History: 9 SR 834

3500.5070 EXEMPTION FOR EXPERIMENTAL PROGRAM.

A school district desiring an exemption from parts 3500.5050 to 3500.5060 must follow the procedures contained in part 3500.1000.

Statutory Authority: *MS s 169.974 subd 2*

History: 9 SR 834