

CHAPTER 3500
DEPARTMENT OF EDUCATION
PUBLIC SCHOOL REQUIREMENTS

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3500.0500 [Repealed, L 1993 c 224 art 12 s 39]

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INCLUSIVE EDUCATION

3500.0550 INCLUSIVE EDUCATIONAL PROGRAM.

Subpart 1. **Establishment of a plan.** The school board in each district shall adopt a written plan to assure that the curriculum developed for use in district schools establishes and maintains an inclusive educational program. An inclusive educational program is one that employs a curriculum that is developed and delivered so that students and staff gain an understanding and appreciation of:

A. The cultural diversity of the United States. Special emphasis must be placed on American Indians/Alaskan natives, Asian Americans/Pacific Islanders, Black Americans, and Hispanic Americans. The program must reflect the wide range of contributions by and roles open to Americans of all races and cultures.

B. The historical and contemporary contributions of women and men to society. Special emphasis must be placed on the contributions of women. The program must reflect the wide range of contributions by and roles open to American women and men.

C. The historical and contemporary contributions to society by persons with disabilities. The program must reflect the wide range of contributions by and roles open to Americans with disabilities.

Subp. 2. **Specifications for the plan.** The current plan must:

A. address the manner in which the multicultural and gender fair concepts in subpart 1, items A, B, and C are to be incorporated into the curriculum goals, learner outcomes, and evaluation processes established in the district;

B. determine the extent to which the district curriculum advisory committee established by Minnesota Statutes, section 120B.11, subdivision 3, will be involved in implementing this part;

C. include evidence of substantive involvement by women, persons of color, and persons with disabilities in the development of the plan. In communities with no persons of color, the district shall use resource people available in the region, state, or nation whenever the plan is developed, reviewed, or revised;

D. include specific goals, objectives, and implementation timelines for the curriculum processes, content, and materials needed for each of the areas in subpart 1;

E. include procedures for systematic monitoring and evaluation of the plan; and

F. include a description of the program planned to provide in-service training for all staff in the areas related to subpart 1, items A, B, and C, and subpart 2, items D and E.

Subp. 3. Filing, reports, review, and revision.

A. The current plan must be on file in the administrative offices of the district and with the commissioner of education.

B. The district shall submit status reports on implementing the plan as requested by the commissioner.

C. The current plan must be reviewed at least every six years and be revised as necessary.

Statutory Authority: *MS s 121.11*

History: *13 SR 2859; L 1995 1Sp3 art 16 s 13; L 1998 c 397 art 11 s 3; L 2003 c 130 s 12; L 2005 c 56 s 2*

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3500.0600 Subpart 1. [Repealed, L 1993 c 224 art 12 s 39]

Subp. 2. [Repealed, L 1993 c 224 art 12 s 39]

Subp. 3. [Repealed, L 2003 1Sp9 art 10 s 14]

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EXPERIMENTAL PROGRAMS AND SCHEDULES

3500.1000 EXPERIMENTAL AND FLEXIBLE SCHOOL YEAR PROGRAMS.

Subpart 1. **Request.** A district may request approval from the commissioner 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. improve instructional quality;
- B. increase cost-effectiveness;
- C. make better use of community resources or available technology; or
- D. establish an alternative eligibility criteria intended to identify pupils in need of special education services.

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

Subp. 3. **Contents of proposal.** The proposal shall include: specific state 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. **Participation and approval.** The district shall provide evidence that the district staff, pupils, and parents who would be affected, participated in the development and will participate in the annual review of the proposal, and that the proposal has the approval of the district school board.

Parents whose children will be involved shall be fully informed at the IEP meeting and shall have the opportunity to approve or disapprove placement in the experimental program.

Subp. 5. **Criteria for continuation.** If the commissioner of education finds that the program has met the proposed goals and objectives, the commissioner shall authorize continuation of the program and specify the state rules from which the program is exempt and the period of time the program will be continued.

Statutory Authority: *MS s 14.05; 121.11; L 1994 c 647 art 3 s 23*

History: *19 SR 2432; L 1998 c 397 art 11 s 3; L 1998 c 398 art 5 s 55; L 2003 c 130 s 12*

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PUPIL FEES

3500.1050 DEFINITIONS FOR PUPIL FEES.

Subpart 1. **Applicability.** For the purposes of Minnesota Statutes, sections 123B.35 to 123B.39 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 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*

History: *L 1998 c 397 art 11 s 3*

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Subp. 4. [Repealed, 14 SR 2000]

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SECONDARY SCHOOL EQUIVALENCY CERTIFICATE

3500.3100 ISSUANCE OF GENERAL EDUCATIONAL DEVELOPMENT (GED) DIPLOMA.

Subpart 1. [Repealed, L 1993 c 224 art 12 s 39]

Subp. 2. [Repealed, L 1993 c 224 art 12 s 39]

Subp. 3. [Repealed, L 1993 c 224 art 12 s 39]

Subp. 4. **General Educational Development (GED) diploma.** The commissioner of education may issue a General Educational Development (GED) diploma to a Minnesota resident 19 years of age or over who has not earned a high school diploma and who has not previously been issued a GED if:

A. the person makes written application through any of the approved GED testing centers located in Minnesota; and

B. the person obtains a minimum standard score of 410 on each of the five GED tests and an average standard score of at least 450 on all five tests or the minimum standard scores required by the GED testing service, whichever is greater.

GED tests must be administered only by official agencies established by the American Council on Education and approved by the commissioner of education.

The commissioner of education may waive the minimum age requirement if supportive evidence is provided by an employer or a recognized education or rehabilitation provider.

Statutory Authority: *MS s 14.388; 120.80; 121.11*

History: *L 1995 1Sp3 art 16 s 13; 22 SR 2342; L 1998 c 397 art 11 s 3; L 1998 c 398 art 5 s 55; 26 SR 1716; L 2003 c 130 s 12*

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