

1 Department of Children, Families, and Learning

2

3 Adopted Permanent Rules Relating to Graduation Standards

4

5 Rules as Adopted

6 3501.0010 PURPOSE.

7 The purpose of parts 3501.0010 to 3501.0180 is to establish
8 statewide standards that define what a Minnesota public high
9 school graduate should know and be able to do to function
10 effectively as a purposeful thinker, effective communicator,
11 self-directed learner, productive group participant, and
12 responsible citizen.

13 3501.0020 SCOPE.

14 Parts 3501.0010 to 3501.0180 govern the graduation
15 standards that Minnesota public schools must require for a high
16 school diploma for all students who enter ninth grade in 1996 or
17 a subsequent year.

18 3501.0030 DEFINITIONS.

19 Subpart 1. Scope. The terms used in parts 3501.0010 to
20 3501.0180 have the meanings given them in this part.

21 Subp. 2. Accommodation. "Accommodation" means an
22 adjustment in a testing condition, such as the setting for or
23 scheduling of the test, or a change in the method of
24 administering a test. An accommodation does not compromise the
25 security or the confidentiality of the test, does not alter the
26 meaning of the score, or render the student's score incomparable
27 to the scores of those students who took the test under standard
28 conditions. Among accommodations is providing a student with
29 the same test in a large-print version.

30 Subp. 3. Degrees of Reading Power Index of Readability or
31 DRP. The "Degrees of Reading Power Index of Readability" or
32 "DRP" means the Degrees of Reading Power Index of Readability
33 described in the DRP Teacher's Manual: Primary and Standard
34 Test Forms issued by Touchstone Applied Science Associates



1 (TASA), Inc. (Brewster, New York, 1989). This document is
2 incorporated by reference and is available through the Minitex
3 interlibrary loan system. This index is not subject to frequent
4 change.

5 Subp. 4. Department. "Department" means the Department of
6 Children, Families, and Learning.

7 Subp. 5. District. "District" means a school district.

8 Subp. 6. Exemption. "Exemption" means a temporary or
9 permanent waiver of the requirement that a student take a test
10 in the basic requirements.

11 Subp. 7. Individualized education plan or IEP.

12 "Individualized education plan" or "IEP" means a written
13 statement developed for a student eligible for special education
14 and services pursuant to Minnesota Statutes, section 120.17 and
15 Public Law Number 101-476, the Individuals with Disabilities
16 Education Act.

17 Subp. 8. Locally adopted tests. "Locally adopted tests"
18 means a test of a basic requirement that is written according to
19 the specifications for the state test and adopted by a school
20 district as the local test of the basic requirement.

21 Subp. 9. Modification. "Modification" means an adjustment
22 of a test that results in changing the standard for a particular
23 student. Among adjustments are: a modification of only part of
24 a test, a change in test questions, and a change in the
25 performance standard.

26 Subp. 10. Parent. "Parent" means ~~the person or persons~~
27 having legal custody of a child, for a student under age 18,
28 the mother, father, guardian, person acting as the parent of the
29 child, conservator, or surrogate parent who has been appointed
30 in accordance with parts 3525.2435 to 3525.2455. For a pupil
31 age 18 or over, parent or parents also includes the pupil unless
32 a guardian or conservator has been appointed, in which case it
33 means the guardian or conservator. When the parents are
34 separated or divorced, it means the parent who has the legal
35 right, by court decree or agreement, to determine the pupil's
36 education, even though the pupil may be living with the other

1 parent.

2 Subp. 11. **Public schools.** "Public schools" means all
3 public schools as defined in Minnesota Statutes, section 120.05,
4 and includes, but is not limited to, public school districts,
5 charter schools, the state academies for the deaf and the blind,
6 and the Center for Arts Education.

7 Subp. 12. **Section 504 accommodation plan.** "Section 504
8 accommodation plan" means the defined appropriate accommodations
9 or modifications that must be made in the school environment to
10 address the needs of an individual student with disabilities.
11 This section of the federal Rehabilitation Act of 1973, Public
12 Law Number 91-230 as amended in Public Law Number 101-476,
13 extends protection to a much broader student population than
14 just those students with IEPs.

15 Subp. 13. **State test.** "State test" means a test of a
16 basic requirement that has been developed using the
17 specifications created for a statewide standard in reading or
18 mathematics. The test shall be designated by the department as
19 the official state test which serves as the basis for validating
20 all other testing options.

21 Subp. 14. **Statewide standards.** "Statewide standards"
22 means statements of what a student should know and be able to do.
23 Statewide standards are concerned with the knowledge that a
24 student should acquire, the concepts and processes a student
25 should master, and the minimum level of competency a student
26 should develop in the course of the student's prekindergarten
27 through grade 12 experience.

28 Subp. 15. **Student.** "Student" means a person admitted to a
29 public school as defined in Minnesota Statutes, section 120.05,
30 in accordance with Minnesota Statutes, section 120.06.

31 Subp. 16. **Test specifications.** "Test specifications"
32 means statements of the basic requirements that tests must
33 include and how tests are designed. The specifications define
34 the required content, format, level of difficulty, types of
35 items, and length of the tests.

1 3501.0040 STATEWIDE GRADUATION STANDARDS.

2 Subpart 1. **Basic requirements.** The basic requirements for
3 mathematics and reading are established in this chapter. The
4 statewide standards for mathematics are specified in subpart 2
5 and the statewide standards for reading are specified in subpart
6 3.

7 To qualify for a high school diploma, a student shall
8 demonstrate competency in the statewide standards for
9 mathematics and reading through one of the testing options in
10 this chapter except for decisions consistent with parts
11 3501.0090 and 3501.0100. School districts may require higher
12 standards in mathematics and reading than the statewide
13 standards.

14 Subp. 2. **Statewide standard in mathematics.** To meet the
15 basic requirement in mathematics, a student shall demonstrate
16 the ability to solve mathematical problems derived from
17 situations commonly encountered in adult life. Among common
18 situations is the estimation of distance traveled when the
19 elapsed time and average rate are known.

20 Subp. 3. **Statewide standard in reading.** To meet the basic
21 requirement in reading, a student shall demonstrate the ability
22 to read and comprehend English passages representative of widely
23 circulated material commonly encountered in adult life. Among
24 widely circulated material is a newspaper feature article.

25 3501.0050 TESTING FOR STATEWIDE STANDARDS IN BASIC REQUIREMENTS.

26 Subpart 1. **School district testing options.** A school
27 district shall test for competency in the statewide standards in
28 basic requirements by using:

- 29 A. a state test;
30 B. one of the state-approved nationally normed,
31 commercially published tests; or
32 C. a local test.

33 The district shall use one particular form of a test no
34 more frequently than once in three school years for the same
35 group of students.

1 Subp. 2. Offering tests in basic requirements. A district
2 shall not offer the test of a basic requirement before grade 8
3 but shall offer it no later than grade 10. Once a test has
4 first been offered to a group of students, the district shall
5 continue to offer a test of that basic requirement to that group
6 of students at least once a year.

7 Subp. 3. Additional testing opportunities. A district
8 shall establish a process for additional testing of students,
9 who by April 1 of their anticipated graduation year have not
10 passed one or more of the basic requirement tests.

11 The process shall include:

12 A. how a parent, student, or both can request:

13 (1) an additional opportunity to take basic
14 requirement tests; and

15 (2) testing accommodations;

16 B. the procedure that a district shall use to act on
17 a request in item A; and

18 C. how a parent, student, or both can appeal the
19 district's action under item B.

20 In addition to the regularly scheduled annual availability
21 of the state tests, the state tests shall also be made available
22 by the department at a district's request for one additional
23 retesting of seniors.

24 Subp. 4. Transfer students. A student transferring into a
25 district shall not be required to take a test of a basic
26 requirement if the student's former school record verifies that
27 the student has already passed a test of that basic requirement
28 consistent with this part. This subpart applies even if the
29 student transfers into a district that has higher standards than
30 the statewide standard in the basic requirement.

31 3501.0060 STATE TEST OPTION.

32 Subpart 1. District use of state test.

33 A. The department shall establish and maintain state
34 tests in the basic requirements.

35 B. When a district uses a state test, it shall:

1 (1) accept as final and conclusive the
2 department's determination on the content of the test, the
3 scoring of the answers, and the determination of the minimum
4 passing score; a district may use other test options on
5 subsequent testing occasions;

6 (2) administer the state test according to the
7 standard conditions for administration that shall be provided to
8 the district with each state test of basic requirements;

9 (3) return the administered state test to the
10 state for scoring; and

11 (4) adopt a passing score no lower than the
12 passing score given in part ~~3501.0170~~ 3501.0180 for that basic
13 requirement test.

14 **Subp. 2. Specifications for state test of mathematics.**

15 The state test of mathematics shall assess the statewide
16 standard in mathematics by including the topics described in
17 items A to H:

18 A. problems involving whole numbers, fractions,
19 decimals, and integers; for example, finding the change from a
20 \$20 bill after purchasing two items of known cost;

21 B. problems involving percents, rate, ratios, and
22 proportions; for example, determining which size of a grocery
23 item represents the best buy;

24 C. problems using concepts of number sense, place
25 value, and number relationships to compare, order, and determine
26 equivalence of whole numbers, fractions, decimals, percents, and
27 integers; for example, determining which of two numbers is
28 larger if one is in fraction form and one in decimal form;

29 D. problems using estimation; for example, estimating
30 the approximate distance traveled when the elapsed time and
31 average rate are known;

32 E. problems applying measurement concepts; for
33 example, using a ruler to determine the length of the side of a
34 figure;

35 F. problems in reading, interpreting, and using one-
36 and two-dimensional graphic forms to analyze data, identify

1 patterns, and make predictions; for example, using a table to
2 determine in which month a show had the highest attendance;

3 G. problems using elementary concepts of probability
4 and statistics; for example, finding the average of five bowling
5 scores; and

6 H. problems applying geometric and spatial
7 relationships; for example, finding the total number of boxes
8 stacked in a display.

9 A student shall be permitted to use a calculator on the
10 state test of mathematics.

11 Subp. 3. **Specifications for state test of reading.** The
12 state test shall assess the statewide standard in reading. The
13 test shall be written according to items A to D.

14 A. Test questions shall test reading comprehension as
15 an integrated skill, with no testing of subskills or strategies.

16 B. The test shall be composed of passages of English
17 nonfiction prose that are either narrative or expository.

18 C. Passages shall be selected from published readings
19 commonly used by adults as sources of information.

20 D. Passages shall have a level of difficulty measured
21 by the Degrees of Reading Power Index of Readability. The total
22 test shall have an average difficulty of at least 64 DRP units.

23 3501.0070 **NATIONALLY NORMED, COMMERCIALY PUBLISHED TEST OPTION.**

24 A. A district may choose a test from the nationally
25 normed, commercially published tests that have been reviewed and
26 approved by the department according to the criteria in item D.
27 The department shall publish the list of approved tests annually
28 by August 1.

29 B. A district shall set the passing score on the
30 selected nationally normed, commercially published test to be
31 comparable to the state set passing score on the state test in
32 the same basic requirement as follows:

33 (1) the first time the commercially published
34 test is given to students, the state test in the same basic
35 requirement shall also be given within the same school year to

1 the same students;

2 (2) the state test shall be scored by the state;

3 (3) the statistical correlation of scores of
4 students in that district who have taken both tests shall be no
5 less than .70;

6 (4) the passing score of the commercially
7 published test shall be set at the point at which the percent of
8 the students who pass the commercially published test is the
9 same as or less than the percent of students who have passed the
10 state test;

11 (5) if the state or the commercially published
12 test changes, a district shall repeat the steps in subitems (1)
13 to (4) the next time the commercially published test is
14 administered to a new group of students; and

15 (6) at a district's request, the department shall
16 assist a district with less than 200 scores at a grade level
17 with the statistical analysis required in subitem (3) by
18 combining those scores with similar sets of scores from other
19 districts to create a large enough number of scores to analyze.

20 C. A district may choose to recognize as passing a
21 score at or above the 75th national percentile on any of the
22 nationally normed, commercially published tests on the
23 state-approved list.

24 D. The following criteria shall be used by the state
25 to review and approve nationally normed, commercially published
26 tests in mathematics or reading:

27 (1) 75 percent of the specifications for the
28 state test in mathematics under part 3501.0060, subpart 2, are
29 met by the commercially published mathematics test or 75 percent
30 of the test items on the commercially published reading test
31 meet the specifications for the state test in reading under part
32 3501.0060, subpart 3, items A and B;

33 (2) the publisher's stated intention for the
34 instrument conforms with the district's use of the instrument;

35 (3) there is published evidence of instrument
36 reliability of at least .80 or higher;

1 (4) there is published evidence for the
2 commercially published test of instrument validity that cites
3 research and development processes that support or contribute to
4 construct validity;

5 (5) there is published evidence of norming data
6 and procedures to show that the norming population was
7 appropriate for the type of students taking the test; and

8 (6) there is a current technical report or manual
9 on development of the testing instrument, the uses of the
10 instrument and analyses of instrument data.

11 3501.0080 LOCAL TEST OPTION.

12 Subpart 1. **Adoption of local test.** A district may adopt
13 its own test for the statewide standards in the basic
14 requirements providing that the conditions in subpart 2 are met.

15 Subp. 2. **Local test.** The local test must measure the
16 standards for mathematics and reading as specified in part
17 3501.0040, subparts 2 and 3, respectively.

18 A. The test must be written according to state test
19 specifications for the content and level of difficulty of the
20 test items in mathematics and reading specified in part
21 3501.0060, subparts 2 and 3, respectively.

22 (1) The state test specifications for local tests
23 of mathematics shall include those specified in part 3501.0060,
24 subpart 2, and the following:

25 (a) the total test shall contain at least 40
26 items;

27 (b) test items shall represent applications
28 to realistic situations;

29 (c) tests may be multiple choice or may
30 require students to supply answers;

31 (d) incorrect options on multiple choice
32 items shall reflect plausible errors in concept or procedures,
33 represented by the problem; and

34 (e) the use of a calculator by the student
35 may be permitted.

1 (2) The state test specifications for local tests
2 of reading include those specified in part 3501.0060, subpart 3,
3 and the following:

4 (a) each passage shall contain at least 500
5 words;

6 (b) each passage shall represent a
7 difficulty level of at least 60 DRP units;

8 (c) each test shall contain at least four
9 reading passages and no fewer than 40 questions;

10 (d) narrative passages shall not compose
11 more than 25 percent of the passages in each test;

12 (e) at least 60 percent of the test
13 questions shall require a student to show knowledge of material
14 that is explicitly stated in the test. This category shall
15 include questions on main ideas, supporting ideas, and may
16 include meanings of words from context. At least 30 percent of
17 the test questions shall require students to draw understanding
18 that is not explicitly stated in the text, but must be inferred
19 by the reader. This category may include identifying the
20 author's perspective, drawing conclusions, or distinguishing
21 between facts and opinions; and

22 (f) the questions and answers options must
23 be phrased in words different from those of the reading passage.

24 B. The passing score on the local test is determined
25 through the process established in subitems (1) to (4) for
26 determining a score comparable to the passing score on the state
27 test in the same basic requirement. The district shall set the
28 passing score on the local test as follows:

29 (1) the first time the local test is given to
30 students, the state test in the same basic requirement shall
31 also be given in the same school year to the same students;

32 (2) the state test shall be scored by the state;

33 (3) the statistical correlation of scores of
34 students in that district who have taken both tests shall be no
35 less than .70;

36 (4) the passing score of the local test shall be

1 set at the point at which the percent of students who pass the
2 local test is the same as or less than the percent of students
3 who have passed the state test; and

4 (5) if the state test changes or if a district
5 changes its local test, a district shall repeat the steps in
6 subitems (1) to (4), at the next time the local test is
7 administered to a new group of students.

8 Subp. 3. Level of knowledge. The district may require
9 more knowledge, a higher level of difficulty, or both, than the
10 state test specifications if the district has established
11 graduation standards that are higher than the statewide
12 graduation standards.

13 3501.0090 STUDENTS WITH INDIVIDUALIZED EDUCATION PLANS OR
14 SECTION 504 ACCOMMODATION PLANS.

15 Subpart 1. Considerations for students with IEPs or
16 section 504 accommodation plans.

17 A. The IEP or section 504 accommodation plan for a
18 student with a disability shall identify one of the following
19 decisions for each of the basic requirements:

20 (1) the student is expected to achieve the
21 statewide standard with or without testing accommodations;

22 (2) the student is expected to achieve the
23 statewide standard at an individually modified level of
24 difficulty; or

25 (3) the student is exempt from the statewide
26 standard.

27 An exemption from the statewide standard shall be granted
28 to a special needs student when the student cannot demonstrate
29 the required degree of learning with appropriate accommodations
30 or modifications if:

31 (a) the student's IEP or section 504
32 accommodation plan does not and never has included the
33 requirements on which the tests are based; or

34 (b) the student is enrolled in special
35 education classes for the subject matter included in the test,

1 but the student's IEP or section 504 accommodation plan does not
2 include a majority of concepts tested.

3 B. Adoption of modifications or exemptions for a
4 student as stated in item A, shall occur concurrently with the
5 adoption of transition goals and objectives as required in
6 Minnesota Statutes, section 120.17, subdivision 3a, clause (1).

7 Subp. 2. Testing students with IEPs or section 504
8 accommodation plans.

9 A. All students shall be tested under standard
10 conditions as specified by the developer of the test except
11 those students whose IEPs specify other decisions consistent
12 with subpart 1, item A.

13 B. Decisions regarding appropriate testing conditions
14 including a decision to provide accommodations for a student
15 with special needs shall be made by the local school district
16 through the IEP process or the section 504 accommodation plan
17 process and shall be reviewed annually.

18 C. Where subpart 1, item A, subitem (2), applies, the
19 student's IEP or section 504 accommodation plan shall define an
20 appropriate assessment of the statewide standard at a modified
21 level of difficulty. Achievement of the individually modified
22 standard shall be certified only through documented student
23 performance of the defined assessment.

24 3501.0100 TESTING CONSIDERATIONS FOR LIMITED ENGLISH PROFICIENT
25 (LEP) STUDENTS.

26 Subpart 1. Scope. This part applies to individuals whose
27 first language is not English and whose test performance may be
28 negatively impacted by lack of English language proficiency.

29 Subp. 2. District process. Each district shall establish
30 a process for determining whether individual students whose
31 first language is not English shall take basic requirements
32 tests under standard test conditions, with language
33 accommodations, with language translation of the mathematics
34 test, or be temporarily exempted from testing. Parents of LEP
35 students, teachers of LEP students, and district personnel

1 responsible for testing shall be involved in establishing this
2 process.

3 Subp. 3. **Temporary exemption.** A student may be
4 temporarily exempted from participation in testing if the
5 student has been enrolled for three or fewer years in a school
6 in which the primary language of instruction is English. If the
7 student is temporarily exempted, the exemption shall be reviewed
8 annually according to the process in subpart 2.

9 Subp. 4. **Test of reading.** Language accommodations and
10 language translations to basic requirements tests shall not be
11 applied to the testing of reading. Students shall demonstrate
12 English language competence in the testing of reading.

13 Subp. 5. **Language translations.** A district may translate
14 the mathematics test into a language other than English.

15 Subp. 6. **Learning opportunities.** Part 3501.0110 applies
16 to students granted considerations under this part.

17 3501.0110 OPPORTUNITIES TO LEARN AND REMEDIATION.

18 A school district's curriculum shall include opportunities
19 for all students to learn the basic requirements. At least two
20 years before the anticipated date of the student's graduation,
21 the district shall develop a plan for remediation for students
22 who have not passed one or more basic requirements tests except
23 for exempt students under part 3501.0090, subpart 1, item A,
24 subitem (3).

25 3501.0120 REQUIRED NOTIFICATION TO PARENTS AND STUDENTS.

26 Subpart 1. **Written notice.** A school district shall
27 establish and maintain a system to provide written notice to
28 parents and students about graduation requirements.

29 Subp. 2. **Notice of graduation requirements.** No later than
30 30 working days after the date of the entrance into the 9th
31 grade or transfer of a student into the district during or after
32 9th grade, the school district shall provide to the parents and
33 the student written notice of:

- 34 A. the graduation requirements; and
35 B. the grade in which the student shall have the

1 first opportunity to take a test in basic requirements.

2 Subp. 3. **Notice of test results and remediation**

3 opportunities. The school district shall provide no later than
4 90 days after a student takes a test of basic requirements,
5 written notice to parents and the student of:

6 A. basic requirement test results; and

7 B. consistent with part 3501.0050, subpart 3, if the
8 student is in the graduating year:

9 (1) the process by which a parent or student can
10 request additional testing and testing accommodations after
11 April 1; and

12 (2) how a parent or student can appeal the
13 district's decision in subitem (1).

14 3501.0130 STUDENT RECORDKEEPING.

15 Subpart 1. **Test results.** The district shall keep a record
16 on each student that includes:

17 A. the basic requirement tests taken; and

18 B. the results of the most recent basic requirement
19 tests given.

20 Subp. 2. **Student progress.** Individual student progress
21 shall be reported on a student record as described in items A to
22 D.

23 A. "Pass-state level" shall be noted on the record of
24 a student who passes a basic requirement test under standard
25 conditions or with an accommodation. The records for students
26 passing with an accommodation shall not be different from the
27 records of students passing the test under standard conditions.

28 B. "Pass-individual level" shall be noted on the
29 record of a student who passes a basic requirement test with a
30 modification established in the IEP or section 504 accommodation
31 plan in accordance with part 3501.0090.

32 C. "Pass-translation" shall be noted on the record of
33 a student who passes a basic requirement test that has been
34 translated into a language other than English and has not been
35 validated by the state as a state test with a set passing score.

1 D. "Exempt" shall be noted on the record of a student
2 who has been exempted from a basic requirement test.

3 3501.0140 TEST ADMINISTRATION.

4 Subpart 1. Testing conditions. The school district shall
5 administer the test that the district chooses from the options
6 given in part 3501.0060 for testing a basic requirement under
7 standard testing conditions defined by the developer of the
8 particular test using the directions provided with the test.
9 Test administration with accommodations or modifications to
10 standard testing conditions shall occur only in accordance with
11 part 3501.0090 or 3501.0050, subpart 3.

12 Subp. 2. District testing plan. The district board shall
13 annually adopt and publish a basic requirement test
14 administration plan. The plan shall be filed with the
15 department and delivered to all households in the district by
16 October 15 of each year. At a minimum, the plan shall include:

17 A. the graduation requirements;

18 B. the test options that the district chooses to use
19 to test the basic requirements;

20 C. in what grade the test of a basic requirement
21 shall first be offered;

22 D. how many opportunities a student shall have to
23 retake tests of basic requirements during each year;

24 E. the opportunities for remediation for a student
25 who has not passed tests of the basic requirements;

26 F. the process used by the district for reviewing the
27 test items of a local test in a basic requirement to determine
28 that the material does not offend or disadvantage any particular
29 group;

30 G. the process for requesting an additional testing
31 opportunity and accommodations for a senior who has met all
32 other graduation requirements but has not passed one or more
33 basic requirements;

34 H. the process for appealing the district's response
35 to requests in item G; and

1 I. how to report breaches in test security procedures
2 to the district and the department.

3 3501.0150 TEST SECURITY.

4 Subpart 1. Security requirements. When administering
5 tests for the basic requirements, the district shall observe the
6 following test security measures:

7 A. all test booklets, answer sheets, and test
8 materials shall be placed in locked storage before and after the
9 test administration;

10 B. the tests, testing materials, and answer sheets
11 are nonpublic data under Minnesota Statutes, section 13.34;

12 C. no copies of test booklets or answer sheets shall
13 be made; and

14 D. school districts shall report any known violations
15 of test security to the department. The department shall
16 receive reports of violations of test security from anyone with
17 knowledge of such an incident.

18 Subp. 2. Security violations. The department shall
19 investigate any reported incidents of breaches in test security.
20 The consequences of a violation in test security may include:

21 A. the invalidation of test scores if a violation is
22 found to justify serious questions about the integrity of the
23 results of the test administration; or

24 B. other reasonable sanctions that are necessary to
25 preserve the security and confidentiality of future tests and
26 test administrations.

27 3501.0160 DISTRICT REPORTING REQUIREMENTS.

28 A. The district shall report the information in item
29 C to the department annually by October 15 in a format to be
30 determined by the department.

31 B. The district shall prepare and disseminate
32 annually by October 15 a public report of the information in
33 item C, through the newspaper officially designated for school
34 district notices or through publication sent to all households
35 in the district.

1 C. The reports required in items A and B shall
2 include:

3 (1) the number of students enrolled at each grade
4 level 9 through 12 according to the end of the year Minnesota
5 Automated Reporting Student System (MARSS) report;

6 (2) the number of students at each grade level 9
7 through 12 passing each basic requirement at the state standard
8 level;

9 (3) the number of students at each grade level 9
10 through 12 passing each basic requirement at an individualized
11 level under an IEP and a section 504 accommodation plan;

12 (4) the number of students at each grade level 9
13 through 12 passing tests in each basic requirement that has been
14 translated into a language other than English;

15 (5) the number of students at each grade level 9
16 through 12 exempt from testing in each basic requirement; and

17 (6) for grade 12 of the previous year only, the
18 number of students currently denied a high school diploma
19 because of not passing the state standard for a basic
20 requirement when all other graduation requirements have been met.

21 3501.0170 REQUIRED DOCUMENTATION FOR PROGRAM AUDIT.

22 The school district shall maintain records necessary for
23 program audits conducted by the department. The records must
24 include documentation that:

25 A. tests used for the basic requirements comply with
26 parts 3501.0060 to 3501.0080;

27 B. the process that the district used to set the
28 passing scores on approved commercially published tests or local
29 tests meets the requirements of parts 3501.0070 and 3501.0080,
30 respectively;

31 C. required notifications to parents and students
32 meet the requirements of part 3501.0120;

33 D. required student records meet the requirements of
34 part 3501.0130;

35 E. the district's process for additional testing of

1 students meets the requirements of part 3501.0050;

2 F. test security procedures comply with part
3 3501.0150;

4 G. local district decisions regarding testing
5 accommodations, modifications, and granting exemptions are in
6 compliance with parts 3501.0090 and 3501.0100;

7 H. the school district's curriculum and instruction
8 provides appropriate learning opportunities in the basic
9 requirements in compliance with part 3501.0110;

10 I. remediation plans for students are on file
11 consistent with part 3501.0110;

12 J. the basic requirement test administration plan
13 complies with part 3501.0140, subpart 2;

14 K. the documentation for students granted
15 accommodations or exempted from testing complies with part
16 3501.0090;

17 L. the assessments and documentation of performance
18 for students granted modifications of statewide standards comply
19 with part 3501.0090, subpart 2, item C; and

20 M. the district's process for testing considerations
21 for LEP students complies with part 3501.0100.

22 3501.0180 PASSING SCORES FOR STATE TESTS OF BASIC REQUIREMENTS.

23 Subpart 1. **Setting scores.** The scores in this part are
24 established for each grade 9 class beginning with the class
25 entering in 1996. Once set, the basic requirements passing
26 scores shall not change for a particular group of entering grade
27 9 students.

28 Subp. 2. **Mathematics.** The passing score for the state
29 test of mathematics is 70 percent for students entering grade 9
30 in 1996; is 75 percent for students entering grade 9 in 1997;
31 and is 80 percent for students entering grade 9 in 1998 and
32 thereafter.

33 Subp. 3. **Reading.** The passing score for the state test of
34 reading is 70 percent for students entering grade 9 in 1996; is
35 75 percent for students entering grade 9 in 1997; is 80 percent

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1 for students entering grade 9 in 1998 and thereafter.