

## CHAPTER 126

### CURRICULUM, CONDUCT, TEXTBOOKS

126.03	Repealed.	126.39	State board of education duties.
126.07	Repealed.	126.52	State board of education duties.
126.10	Repealed.	126.56	Summer scholarships for academic enrichment.
126.11	Repealed.	126.661	PER definitions.
126.151	Vocational education student organizations.	126.663	PER curriculum accountability and improvement process.
126.1995	Safety requirement guidelines.	126.67	School district assessment programs.
126.22	High school graduation incentives program.	126.70	Staff development plan.
126.23	Aid for private alternative programs.	126.80	Repealed.
126.237	Alternate instruction required.	126.81	Repealed.

**126.03** [Repealed, 1989 c 329 art 9 s 34]

**126.07** [Repealed, 1989 c 329 art 9 s 34]

**126.10** [Repealed, 1989 c 329 art 9 s 34]

**126.11** [Repealed, 1989 c 329 art 9 s 34]

#### **126.151 VOCATIONAL EDUCATION STUDENT ORGANIZATIONS.**

*[For text of subd 1, see M.S.1988]*

**Subd. 2. Accounts of the organization.** The state boards of education and vocational technical education may retain dues and other money collected on behalf of students participating in approved vocational student organizations and may deposit the money in separate accounts. The money in these accounts shall be available for expenditures for state and national activities related to specific organizations. Administration of money collected under this section is not subject to the provisions of chapters 15, 16A, and 16B, and may be deposited outside the state treasury. Money shall be administered under the policies of the applicable state board or agency relating to post-secondary and secondary vocational student organizations and is subject to audit by the legislative auditor. Any unexpended money shall not cancel but may be carried forward to the next fiscal year.

**History:** 1989 c 329 art 3 s 20

#### **126.1995 SAFETY REQUIREMENT GUIDELINES.**

The department of education, in cooperation with the Minnesota fire marshal's division, shall develop guidelines for school lab safety. The guidelines shall include a list of safety requirements and an explanation of the minimum state and national laws, codes, and standards affecting school lab safety the Minnesota fire marshal considers necessary for schools to implement. The district superintendent must ensure that every school lab within the district complies with the school lab safety requirements. Lack of funding is not an excuse for noncompliance.

**History:** 1989 c 329 art 9 s 13

#### **126.22 HIGH SCHOOL GRADUATION INCENTIVES PROGRAM.**

*[For text of subd 1, see M.S.1988]*

**Subd. 2. Eligible pupils.** The following pupils are eligible to participate in the high school graduation incentives program:

(a) any pupil who is between the ages of 12 and 16 and who:

(1) is at least two grade levels below the performance level for pupils of the same age in a locally determined achievement test; or

(2) is at least one year behind in obtaining credits for graduation; or

- (3) is pregnant or is a parent; or
- (4) has been assessed as chemically dependent; or
- (5) has been excluded or expelled according to sections 127.26 to 127.39; or
- (6) has been referred by a school district for enrollment in an eligible program or a program pursuant to section 126.23;

(b) any pupil who is between the ages of 16 and 19 who is attending school, and who is at least two grade levels below the performance level for pupils of the same age in a locally determined achievement test, or is at least one year behind in obtaining credits for graduation, or is pregnant or is a parent, or has been assessed as chemically dependent; or

(c) any person between 16 and 21 years of age who has not attended a high school program for at least 15 consecutive school days, excluding those days when school is not in session, and who is at least two grade levels below the performance level for pupils of the same age in a locally determined achievement test, or is at least one year behind in obtaining credits for graduation, or is pregnant or is a parent, or has been assessed as chemically dependent; or

(d) any person who is at least 21 years of age and who:

(1) has received less than 14 years of public or nonpublic education, beginning at age 5;

(2) has already completed the studies ordinarily required in the 10th grade but has not completed the requirements for a high school diploma or the equivalent; and

(3) at the time of application, (i) is eligible for unemployment compensation benefits or has exhausted the benefits, (ii) is eligible for or is receiving income maintenance and support services, as defined in section 268.0111, subdivision 5, or (iii) is eligible for services under the displaced homemaker program, state wage-subsidy program, or any programs under the federal Jobs Training Partnership Act or its successor.

Notwithstanding section 127.27, subdivision 7, the provisions of section 127.29, subdivision 1, do not apply to a pupil under age 21 who participates in the high school graduation incentives program.

**Subd. 3. Eligible programs.** (a) A pupil who is eligible according to subdivision 2, clause (a), (b), (c), or (d), may enroll in any program approved by the state board of education under Minnesota Rules, part 3500.3500, including area learning centers under sections 129B.52 to 129B.55, or according to section 121.11, subdivision 12.

(b) A pupil who is eligible according to subdivision 2, clause (b), (c), or (d), may enroll in post-secondary courses under section 123.3514.

(c) A pupil who is eligible under subdivision 2, clause (a), (b), (c), or (d), may enroll in any public secondary education program. However, a person who is eligible according to subdivision 2, clause (d), may enroll only if the school board has adopted a resolution approving the enrollment.

(d) A pupil who is eligible under subdivision 2, clause (a), (b), or (c), may enroll in any nonprofit, nonpublic, nonsectarian school that has contracted with the school district of residence to provide educational services.

(e) An eligible institution providing eligible programs as defined in this subdivision may contract with an entity providing adult basic education programs under the community education program contained in section 121.88 for actual program costs.

*[For text of subs 4 to 7, see M.S.1988]*

**Subd. 8. Enrollment verification.** For eligible programs under subdivision 3, paragraph (d), the department of education shall pay 85 percent of the basic revenue of the district to the eligible program and 15 percent of the basic revenue to the resident district within 30 days after enrollment verification. The department of education shall provide a form for the eligible program to use for enrollment verification.

**History:** 1989 c 222 s 30,31; 1989 c 329 art 7 s 8,9; art 9 s 14

**126.23 AID FOR PRIVATE ALTERNATIVE PROGRAMS.**

If a pupil enrolls in a nonsectarian alternative program operated by a private organization that has contracted with a school district to provide educational services for high school dropouts or other eligible students under section 126.22, subdivision 2, the resident district must reimburse the provider an amount equal to at least 85 percent of the basic revenue of the district for each pupil. Pupils for whom a district provides reimbursement may not be counted by the district for any purpose other than computation of basic revenue, according to section 124A.22, subdivision 2.

*History: 1989 c 329 art 7 s 10*

**126.237 ALTERNATE INSTRUCTION REQUIRED.**

Before a pupil is referred for a special education assessment, the district must conduct and document at least two instructional strategies, alternatives, or interventions while the pupil is in the regular classroom. The pupil's teacher must provide the documentation. A special education assessment team may waive this requirement when they determine the pupil's need for the assessment is urgent. This section may not be used to deny a pupil's right to a special education assessment.

*History: 1989 c 329 art 3 s 21*

**126.39 STATE BOARD OF EDUCATION DUTIES.**

Subd. 11. [Repealed, 1989 c 329 art 9 s 34]

**126.52 STATE BOARD OF EDUCATION DUTIES.**

*[For text of subs 5 to 9, see M.S.1988]*

Subd. 11. [Repealed, 1989 c 329 art 9 s 34]

**126.56 SUMMER SCHOLARSHIPS FOR ACADEMIC ENRICHMENT.**

*[For text of subs 1 to 3, see M.S.1988]*

Subd. 4. **Eligible institutions.** A scholarship may be used only at an eligible institution. A Minnesota public post-secondary institution is an eligible institution. A private post-secondary institution is eligible if it:

- (1) is accredited by the North Central Association of Colleges;
- (2) offers an associate or baccalaureate degree program approved under section 136A.65, subdivision 1; and
- (3) is located in Minnesota.

Subd. 4a. **Eligible programs.** A scholarship may be used only for an eligible program. To be eligible, a program must:

- (1) provide, as its primary purpose, academic instruction for student enrichment in curricular areas including, but not limited to, communications, humanities, social studies, social science, science, mathematics, art, or foreign languages;
- (2) not be offered for credit to post-secondary students;
- (3) not provide remedial instruction;
- (4) meet any other program requirements established by the state board of education and the higher education coordinating board; and
- (5) be approved by the state board of education.

Subd. 5. **Advisory committee.** An advisory committee shall assist the state board of education in approving eligible programs and shall assist the higher education coordinating board in planning, implementing, and evaluating the scholarship program. The committee shall consist of 11 members, to include the executive director of the higher education coordinating board or a representative, the commissioner of education or a representative, two secondary school administrators and two secondary

teachers appointed by the commissioner of education, the executive director of the academic excellence foundation, a private college representative appointed by the president of the Minnesota private college council, a community college representative appointed by the community college chancellor, a state university representative appointed by the state university chancellor, and a University of Minnesota representative appointed by the president of the University of Minnesota. The committee expires June 30, 1993.

*[For text of subs 6 to 8, see M.S.1988]*

**History:** 1989 c 293 s 12; 1989 c 329 art 11 s 9,10

### **126.661 PER DEFINITIONS.**

*[For text of subs 1 to 3, see M.S.1988]*

Subd. 3a. **State learner goals.** "State learner goals" means the knowledge, skills, processes, values, and attitudes pupils can expect to attain.

*[For text of subs 4 to 6, see M.S.1988]*

**History:** 1989 c 329 art 7 s 11

### **126.663 PER CURRICULUM ACCOUNTABILITY AND IMPROVEMENT PROCESS.**

*[For text of subd 1, see M.S.1988]*

Subd. 2. **State learner outcomes.** The state board of education, with the assistance of the state curriculum advisory committee and the office on educational leadership shall identify and adopt learner goals, essential learner outcomes, and integrated learner outcomes for curriculum areas, under section 120.101, subdivision 6, and for career vocational curricula. Learner outcomes shall include thinking and problem solving skills.

Subd. 3. **Model learner outcomes.** The department shall develop and maintain model learner outcomes in state board identified subject areas, including career vocational learner outcomes. The department shall make learner outcomes available upon request by a district. Learner outcomes shall be for pupils in kindergarten to grade 12. The department shall consult with each of the public post-secondary systems and with the higher education coordinating board in developing model learner outcomes appropriate for entry into post-secondary institutions. Learner outcomes shall include thinking and problem solving skills.

**History:** 1989 c 329 art 7 s 12,13

### **126.67 SCHOOL DISTRICT ASSESSMENT PROGRAMS.**

*[For text of subs 2b to 4, see M.S.1988]*

Subd. 5. **Assessment item bank.** The department shall maintain an assessment item bank to provide assessment items that are designed to measure pupils' attainment of state essential learner outcomes and specific learner outcomes of an individual school or district.

*[For text of subs 5a to 7, see M.S.1988]*

Subd. 8. **Career information; appropriation.** The department of education may provide career information to school districts and other educational organizations, employment and training services, human service agencies, libraries, and families. The department shall collect fees necessary to recover all expenditures related to the operation of the Minnesota career information service. Grants may be accepted and used for the improvement or operation of the program.

**History:** 1989 c 329 art 7 s 14; art 9 s 15

**126.70 STAFF DEVELOPMENT PLAN.**

*[For text of subs 1 to 2a, see M.S.1988]*

Subd. 3. [Repealed, 1989 c 329 art 9 s 34]

**126.80** [Repealed, 1989 c 329 art 9 s 34]

**126.81** [Repealed, 1989 c 329 art 11 s 18]