

## CHAPTER 126

### CURRICULUM; AMERICAN INDIANS

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**126.113** [Repealed, 1997 c 183 art 3 s 39]

#### **126.22 GRADUATION INCENTIVES PROGRAM.**

*[For text of subd 1, see M.S.1996]*

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

(a) any pupil under the age of 21 who:

(1) performs substantially 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 satisfactorily completing coursework or 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; or

(7) is a victim of physical or sexual abuse; or

(8) has experienced mental health problems; or

(9) has experienced homelessness sometime within six months before requesting a transfer to an eligible program; or

(10) speaks English as a second language or has limited English proficiency; or

(11) has withdrawn from school or has been chronically truant; or

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

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

(2) has not completed the requirements for a high school diploma; and

(3) at the time of application, (i) is eligible for reemployment insurance 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.

**Subd. 3. Eligible programs.** (a) A pupil who is eligible according to subdivision 2 may enroll in area learning centers under sections 124C.45 to 124C.48, or according to section 121.11, subdivision 12.

(b) A pupil who is eligible according to subdivision 2 and who is between the ages of 16 and 21 may enroll in post-secondary courses under section 123.3514.

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

(d) A pupil who is eligible under subdivision 2, may enroll in any nonpublic, nonsectarian school that has contracted with the serving school district to provide educational services.

(e) A pupil who is between the ages of 16 and 21 may enroll in any adult basic education programs approved under section 124.26 and operated under the community education program contained in section 121.88.

**Subd. 3a. Additional eligible program.** A pupil who is at least 16 years of age, who is eligible under subdivision 2, clause (a), and who has been enrolled only in a public school, if the pupil has been enrolled in any school, during the year immediately before transferring under this subdivision, may transfer to any nonpublic school that has contracted with the serving school district to provide nonsectarian educational services. Such a school must enroll every eligible pupil who seeks to transfer to the school under this program subject to available space.

*[For text of subs 4 to 6, see M.S.1996]*

**Subd. 7. Aid adjustments.** General education aid and transportation aid attributable to a pupil covered by programs under this section must be paid according to sections 124A.036, subdivision 5, and 124.225, subdivision 81, respectively.

**Subd. 8. Enrollment verification.** (a) For a pupil attending an eligible program full time under subdivision 3, paragraph (d), the department of children, families, and learning shall pay 90 percent of the district's average general education revenue less compensatory revenue to the eligible program and ten percent of the district's average general education revenue less compensatory revenue to the resident district within 30 days after the eligible program verifies enrollment using the form provided by the department. For a pupil attending an eligible program part time, revenue shall be reduced proportionately, according to the amount of time the pupil attends the program, and the payments to the eligible program and the resident district shall be reduced accordingly. A pupil for whom payment is made according to this section may not be counted by any district for any purpose other than computation of general education revenue. If payment is made for a pupil under this subdivision, a school district shall not reimburse a program under section 126.23 for the same pupil. Compensatory revenue shall be paid according to section 124A.22, subdivision 3.

(b) The department of children, families, and learning shall pay up to 100 percent of the revenue to the eligible program if there is an agreement to that effect between the school district and the eligible program.

*[For text of subd 9, see M.S.1996]*

**History:** 1997 c 7 art 1 s 70; 1Sp1997 c 4 art 2 s 34; art 5 s 18,19; art 6 s 15

### 126.225 ADDITIONAL REVENUE FOR HOMELESS STUDENTS.

In addition to revenue received under sections 126.22, subdivisions 7 and 8, and 126.23, subdivision 1, a district shall receive additional revenue for homeless pupils who are eligible to participate in the graduation incentives program according to section 126.22, subdivision 1, paragraph (a), clause (9), equal to \$100 per pupil unit. The revenue received under this section shall be used for expanding education services to include preschool, after-school, or summer school programs to provide transition and follow-up services to homeless pupils who are placed or mainstreamed in a district school, or to provide parent education and support services. The additional revenue shall be paid to the public or nonprofit school program providing services to homeless pupils. A student shall not be considered homeless under this section if the student was displaced from home as a result of a natural disaster.

**History:** 1Sp1997 c 4 art 2 s 35

### 126.23 AID FOR CONTRACTED ALTERNATIVE PROGRAMS.

**Subdivision 1. Aid.** If a pupil enrolls in an alternative program, eligible under section 126.22, subdivision 3, paragraph (d), or subdivision 3a, operated by a private organization that has contracted with a school district to provide educational services for eligible pupils under section 126.22, subdivision 2, the district contracting with the private organization

must reimburse the provider an amount equal to at least 90 percent of the district's average general education less compensatory revenue per pupil unit times the number of pupil units for pupils attending the program. Compensatory revenue must be allocated according to section 124A.28, subdivision 1a. For a pupil attending the program part time, the revenue paid to the program shall be reduced proportionately, according to the amount of time the pupil attends the program, and revenue paid to the district shall be reduced accordingly. Pupils for whom a district provides reimbursement may not be counted by the district for any purpose other than computation of general education revenue. If payment is made to a district or program for a pupil under this section, the department of children, families, and learning shall not make a payment for the same pupil under section 126.22, subdivision 8.

*[For text of subd 2, see M.S.1996]*

**History:** *1Sp1997 c 4 art 2 s 36*

### **126.256 AMERICAN SIGN LANGUAGE.**

Satisfactory completion of courses in American sign language in a public elementary or secondary school shall be accorded equal standing with satisfactory completion of courses in any world language.

**History:** *1Sp1997 c 4 art 2 s 37*

### **126.51 PARENT AND COMMUNITY PARTICIPATION.**

Subdivision 1. **Parent committee.** School boards and American Indian schools shall provide for the maximum involvement of parents of children enrolled in education programs, including language and culture education programs, programs for elementary and secondary grades, special education programs, and support services. Accordingly, the school board of a school district in which there are ten or more American Indian children enrolled and each American Indian school shall establish a parent committee. If a committee whose membership consists of a majority of parents of American Indian children has been or is established according to federal, tribal, or other state law, that committee may serve as the committee required by this section and shall be subject to, at least, the requirements of this subdivision and subdivision 1a.

The parent committee shall develop its recommendations in consultation with the curriculum advisory committee required by section 123.972, subdivision 3. This committee shall afford parents the necessary information and the opportunity effectively to express their views concerning all aspects of American Indian education and the educational needs of the American Indian children enrolled in the school or program. The committee shall also address the need for adult education programs for American Indian people in the community. The school board or American Indian school shall ensure that programs are planned, operated, and evaluated with the involvement of and in consultation with parents of children served by the programs.

*[For text of subs 1a to 4, see M.S.1996]*

**History:** *1997 c 7 art 1 s 71*

### **126.531 COMMITTEES ON AMERICAN INDIAN EDUCATION PROGRAMS.**

*[For text of subs 1 and 2, see M.S.1996]*

Subd. 3. Each committee shall be reimbursed for expenses according to section 15.059, subdivision 6. The state board shall determine the membership terms and the duration of each committee, which expire no later than June 30, 2001.

**History:** *1997 c 192 s 21*

### **126.56 SUMMER SCHOLARSHIPS FOR ACADEMIC ENRICHMENT.**

*[For text of subd 1, see M.S.1996]*

Subd. 2. **Eligible student.** To be eligible for a scholarship, a student shall:

- (1) be a United States citizen or permanent resident of the United States;
- (2) be a resident of Minnesota;
- (3) attend an eligible program;
- (4) have completed at least one year of secondary school but not have graduated from high school;
- (5) have earned at least a B average or its equivalent during the semester or quarter prior to application, or have earned at least a B average or its equivalent during the semester or quarter prior to application in the academic subject area applicable to the summer program the student wishes to attend;
- (6) demonstrate need for financial assistance; and
- (7) be 19 years of age or younger.

*[For text of subs 3 and 4, see M.S.1996]*

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 higher education services office; and
- (5) be approved by the director of the higher education services office.

Subd. 5. **Advisory committee.** An advisory committee shall assist the state board of education in approving eligible programs and shall assist the higher education services office in planning, implementing, and evaluating the scholarship program. The committee shall consist of 11 members, to include the executive director of the higher education services office or a representative, the commissioner of children, families, and learning or a representative, two secondary school administrators and two secondary teachers appointed by the commissioner of children, families, and learning, 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 and a state university representative appointed by the chancellor of the Minnesota state colleges and universities, and a University of Minnesota representative appointed by the president of the University of Minnesota. The committee expires June 30, 2001.

*[For text of subd 6, see M.S.1996]*

Subd. 7. **Administration.** The higher education services office shall determine the time and manner for scholarship applications, awards, and program approval.

Subd. 8. [Repealed, 1997 c 187 art 1 s 27]

**History:** 1997 c 183 art 3 s 7-9; 1997 c 192 s 22

## 126.685 LIFEWORK DEVELOPMENT PLAN.

A school district may require students to develop and maintain a record of all students' lifework development activities and work toward achieving the profile of learning. This record includes, but is not limited to, student's goals, skills, abilities, and interests, as well as information on service learning experiences, out-of-school learning experiences, and career-related experiences, such as job shadowing, career mentoring, internships, apprenticeships, entrepreneurship, and other work-based learning activities that may be used to fulfill the profile of learning. The ongoing record assists students in choosing their school-based courses, researching and exploring career options, and realizing their role as citizens and their goals as lifelong learners. Each school year, the student, the student's parent or guardian, school and career counselors, and other appropriately trained school personnel shall re-

view the student's plan to ensure that the plan is updated and reflects the student's changing life goals and aspirations. The plan serves as a continuous record of future education and training options necessary to achieve the student's lifework goal.

**History:** *1Sp1997 c 4 art 3 s 18*

## 126.72 CONTRACTS.

*[For text of subd 1, see M.S.1996]*

**Subd. 2. Purpose.** The school board shall determine the needs of its classroom teachers and the need for changes in its curriculum. In determining these needs, the school board shall obtain recommendations from classroom teachers, staff responsible for curriculum, and the curriculum advisory committee. It shall consider assessment results, other test results, the need for mentor teachers, and the district improvement plan portion of the report adopted according to section 123.972, subdivision 5. Contracts executed under this section shall relate directly to the identified needs.

*[For text of subs 3 to 6, see M.S.1996]*

**History:** *1997 c 7 art 1 s 72*

## 126.77 VIOLENCE PREVENTION EDUCATION.

**Subdivision 1. Violence prevention curriculum.** (a) The commissioner of children, families, and learning, in consultation with the commissioners of health and human services, state minority councils, battered women's programs, sexual assault centers, representatives of religious communities, and the assistant commissioner of the office of drug policy and violence prevention, shall assist districts on request in developing or implementing a violence prevention program for students in kindergarten to grade 12 that can be integrated into existing curriculum. The purpose of the program is to help students learn how to resolve conflicts within their families and communities in nonviolent, effective ways.

(b) Each district is encouraged to integrate into its existing curriculum a program for violence prevention that includes at least:

(1) a comprehensive, accurate, and age appropriate curriculum on violence prevention, nonviolent conflict resolution, sexual, racial, and cultural harassment, and student hazing that promotes equality, respect, understanding, effective communication, individual responsibility, thoughtful decision making, positive conflict resolution, useful coping skills, critical thinking, listening and watching skills, and personal safety;

(2) planning materials, guidelines, and other accurate information on preventing physical and emotional violence, identifying and reducing the incidence of sexual, racial, and cultural harassment, and reducing child abuse and neglect;

(3) a special parent education component of early childhood family education programs to prevent child abuse and neglect and to promote positive parenting skills, giving priority to services and outreach programs for at-risk families;

(4) involvement of parents and other community members, including the clergy, business representatives, civic leaders, local elected officials, law enforcement officials, and the county attorney;

(5) collaboration with local community services, agencies, and organizations that assist in violence intervention or prevention, including family-based services, crisis services, life management skills services, case coordination services, mental health services, and early intervention services;

(6) collaboration among districts and SCs;

(7) targeting early adolescents for prevention efforts, especially early adolescents whose personal circumstances may lead to violent or harassing behavior;

(8) opportunities for teachers to receive in-service training or attend other programs on strategies or curriculum designed to assist students in intervening in or preventing violence in school and at home; and

(9) administrative policies that reflect, and a staff that models, nonviolent behaviors that do not display or condone sexual, racial, or cultural harassment or student hazing.

(c) The department may provide assistance at a neutral site to a nonpublic school participating in a district's program.

*[For text of subs 2 and 3, see M.S.1996]*

**History:** *1Sp1997 c 4 art 7 s 9*

## 126.78 VIOLENCE PREVENTION EDUCATION GRANTS.

*[For text of subs 1 to 4, see M.S.1996]*

Subd. 5. [Repealed, 1997 c 7 art 2 s 67]

## 126.79 LEARN AND EARN GRADUATION ACHIEVEMENT PROGRAM.

**Subdivision 1. Grant program established.** A learn and earn graduation achievement grant program is established under the administration of the commissioner of children, families, and learning. The purpose of the program is to aid local communities in their efforts to decrease youth crime by improving the secondary educational success and increasing the post-secondary educational opportunities of low-income high school students who reside in and attend schools in communities that have a high level of poverty and juvenile crime. The commissioner shall make grants under this section to applicants to establish local learn and earn programs that are school-centered and that use a community-based approach that provides eligible youth in grades 9 through 12 with individually tailored opportunities for academic enrichment, community service, and personal development that lead to a high school diploma and post-secondary education.

**Subd. 2. Program outcome measures.** The goals of the learn and earn graduation achievement program are to:

- (1) increase school attendance;
- (2) decrease school suspensions and dropouts;
- (3) increase youth academic achievement, measured by graduation rates and post-secondary enrollment; and
- (4) decrease juvenile crime.

**Subd. 3. Local programs; application procedure; grant awards.** The commissioner shall make grants to eligible applicants to establish local learn and earn programs. Each program shall operate for at least a four-year period. A local program shall select its participants from among eligible students who are entering or are in the ninth grade at the inception of the program. A program may not refill a program slot with another student if a student drops out of the program. Students selected to participate in the program shall be considered part of the program class and students who drop out may return to the program at any time prior to graduation.

The commissioner shall establish the application procedure for awarding grants under this section. The commissioner shall begin awarding grants by September 1, 1997.

**Subd. 4. Grant eligibility.** An applicant for a grant must be a public secondary school, a nonprofit community-based agency cooperating with a secondary school, area learning center, or alternative learning program approved by the commissioner. Grant applicants must meet all of the following criteria:

- (1) at least 20 percent of the students at the participating school or program are eligible to receive a free school lunch;
- (2) the area which the participating school or program serves has a high juvenile crime rate or has experienced a significant increase in juvenile crime over the past three school years;

(3) the applicant has a designated program coordinator who will coordinate school and community resources to provide students with sufficient support and continuity to realize program goals; and

(4) the applicant has established an advisory committee that includes representatives of the students and families served by the program and community organizations serving youth and families. The applicant may use an existing advisory committee that includes this representation.

At least 80 percent of a local learn and earn program's participating students at the inception of the program must reside in households with incomes at or below the federal poverty level adjusted for family size.

The commissioner shall give priority to funding local learn and earn programs that serve those communities that have the highest juvenile crime rates and the largest concentrations of economically disadvantaged youth.

**Subd. 5. Student eligibility.** A student is eligible to participate in a local learn and earn program if the student:

- (1) is enrolled in the participating school;
- (2) is entering or is in the ninth grade at the inception of the program; and
- (3) resides in a household whose income is at or below the federal poverty level adjusted for family size, has been recommended for the program by a teacher or other community member, has requested to participate, or whose participation has been requested by a family member, according to a procedure to be developed by the applicant.

**Subd. 6. Program components.** Each learn and earn graduation achievement program must provide the opportunity for participating students to complete:

- (1) 250 hours each year, not including regular required classroom hours, in basic education competency skills;
- (2) 250 hours each year of community service; and
- (3) 250 hours each year of cultural enrichment and personal development, including but not limited to adult mentoring; participating in community cultural events; developing life skills for use in the home, workplace, and community; and learning to set goals, manage time, and make appropriate behavior choices for varying social situations.

**Subd. 7. Program incentives.** (a) Each participating student shall receive a monetary stipend for each hour spent in a program component activity, plus a bonus upon completion of each component during each year of the program.

(b) An additional amount equal to or greater than each student's earned stipends and bonuses must be deposited for the student in a post-secondary opportunities interest-bearing account, established by the commissioner through the higher education services office. A student may, upon graduation from high school, use the funds accumulated for the student toward the costs of attending a Minnesota post-secondary institution or participating in a Minnesota post-secondary program. Funds accumulated for a student shall be available to the student from the time the student graduates from high school until ten years after the date the student entered the learn and earn graduation achievement program. After ten years, the commissioner shall close the student's account and any remaining money in the account shall revert to the general fund.

The commissioner shall establish a procedure for providing the monetary stipends and bonuses to students. The commissioner may delegate this authority to grantees.

**Subd. 8. Program coordinator.** The local learn and earn program coordinator must maintain contact with all participating students and their families; work with the school to link students with the resources needed to improve their educational skills; arrange for community service and cultural enrichment opportunities for students; maintain records regarding student completion of program component hours; and perform other administrative duties as necessary. A program coordinator must, to the extent possible, agree to remain with the program for four years to provide continuity of adult contact to the participating students.

**Subd. 9. Evaluation and reports.** The commissioner shall collect information about participating students and a demographically similar control group and shall evaluate the short-term and long-term benefits participating students receive from the learn and earn graduation achievement program, based on the outcome measures specified in subdivision 2, and any other criteria established by the commissioner as part of the grant application process. The evaluation must include a statistical comparison of students participating in the

program and the control group. The commissioner shall track participating students and the control group for a minimum of six years from the start of the program. The commissioner shall submit a preliminary report to the governor and the chairs of the senate and house committees having jurisdiction over education and crime prevention by December 15, 2000, regarding continuation of the learn and earn graduation achievement program for participating schools and expansion of the program to additional schools. The commissioner shall submit a final report by December 15, 2002.

**History:** *1Sp1997 c 4 art 2 s 38*