

CHAPTER 120B

CURRICULUM AND ASSESSMENT

120B.01	Definitions.	120B.16	Secondary credit for students.
	ACADEMIC STANDARDS	120B.18	American sign language.
120B.02	Results-oriented graduation rule; basic skills requirements; profile of learning.	120B.20	Parental curriculum review.
120B.031	Implementing the Profile of Learning.	120B.22	Violence prevention education.
120B.07	Early graduation.	120B.23	Violence prevention education grants.
	CURRICULUM	120B.24	Endowed chair.
120B.10	Findings; improving instruction and curriculum.		ASSESSMENT: ACCOUNTABILITY
120B.11	School district process.	120B.30	Statewide testing and reporting system.
120B.12	Reading intervention.	120B.31	System accountability and statistical adjustments.
120B.125	Involuntary career tracking prohibited.	120B.35	Student academic achievement and progress.
120B.13	Advanced placement and international baccalaureate programs.	120B.39	Uniform forms for state examinations; commissioner.
120B.14	Advanced academic credit.		

120B.01 DEFINITIONS.

For the purposes of this chapter, the words defined in section 120A.05 have the same meaning.

History: 1998 c 397 art 3 s 1; art 11 s 3

ACADEMIC STANDARDS

120B.02 RESULTS-ORIENTED GRADUATION RULE; BASIC SKILLS REQUIREMENTS; PROFILE OF LEARNING.

(a) The legislature is committed to establishing a rigorous, results-oriented graduation rule for Minnesota's public school students. To that end, the commissioner shall use its rulemaking authority under section 127A.05, subdivision 4, to adopt a statewide, results-oriented graduation rule to be implemented starting with students beginning ninth grade in the 1996-1997 school year. The commissioner shall not prescribe in rule or otherwise the delivery system or form of instruction that school sites must use to meet the requirements contained in this rule. For purposes of this chapter, a school site is a separate facility, or a separate program within a facility that a local school board recognizes as a school site.

(b) To successfully accomplish paragraph (a), the commissioner shall set in rule high academic standards for all students. The standards must contain the foundational skills in the three core curricular areas of reading, writing, and mathematics while meeting requirements for high school graduation. The standards must also provide an opportunity for students to excel by meeting higher academic standards through a profile of learning that uses curricular requirements to allow students to expand their knowledge and skills beyond the foundational skills. All commissioner actions regarding the rule must be premised on the following:

(1) the rule is intended to raise academic expectations for students, teachers, and schools;

(2) any state action regarding the rule must evidence consideration of school district autonomy; and

(3) the department of children, families, and learning, with the assistance of school districts, must make available information about all state initiatives related to the rule to students and parents, teachers, and the general public in a timely format that is appropriate, comprehensive, and readily understandable.

(c) For purposes of adopting the rule, the commissioner, in consultation with the department, recognized psychometric experts in assessment, and other interested and knowledgeable educators, using the most current version of professional standards for educational testing, shall evaluate the alternative approaches to assessment:

(d) The content of the graduation rule must differentiate between minimum competencies reflected in the basic requirements assessment and rigorous profile of learning standards. When fully implemented, the requirements for high school graduation in Minnesota must include both basic requirements and the required profile of learning. The profile of learning must measure student performance using performance-based assessments compiled over time that integrate higher academic standards, higher order thinking skills, and application of knowledge from a variety of content areas. The profile of learning shall include a broad range of academic experience and accomplishment necessary to achieve the goal of preparing students to function effectively as purposeful thinkers, effective communicators, self-directed learners, productive group participants, and responsible citizens.

(e) The profile of learning contains the following learning areas:

- (1) read, listen, and view;
- (2) write and speak;
- (3) arts and literature;
- (4) mathematical concepts and applications;
- (5) inquiry and research;
- (6) scientific concepts and applications;
- (7) social studies;
- (8) physical education and lifetime fitness;
- (9) economics and business;
- (10) world languages; and
- (11) technical and vocational education.

(f) The commissioner shall periodically review and report on the assessment process and student achievement with the expectation of raising the standards and expanding high school graduation requirements.

(g) Beginning August 31, 2000, the commissioner must publish, including in electronic format for the Internet, a report, by school site, area learning center, and charter school, of:

- (1) the required preparatory content standards;
- (2) the high school content standards required for graduation; and

(3) the number of student waivers the district, area learning center, or charter school approves under section 120B.031, subdivisions 4, 5, and 6, based on information each district, area learning center, and charter school provides.

(h) School districts must integrate required and elective content standards in the scope and sequence of the district curriculum.

(i) School districts are not required to adopt specific provisions of the Goals 2000 and the federal School-to-Work programs.

History: *Ex*1959 c 71 art 2 s 11; 1965 c 718 s 1; 1969 c 9 s 23,24; 1969 c 288 s 1; 1973 c 492 s 14; 1975 c 162 s 6,7; 1976 c 271 s 21; 1977 c 347 s 19; 1977 c 447 art 7 s 4; 1982 c 424 s 130; 1982 c 548 art 4 s 4,23; 1983 c 258 s 22; 1984 c 640 s 32; 1985 c 248 s 70; 1987 c 178 s 5; 1987 c 398 art 7 s 5; 1989 c 329 art 7 s 2; art 8 s 1; art 9 s 4; 1990 c 375 s 3; 1991 c 265 art 9 s 13; 1993 c 224 art 12 s 2-6; art 14 s 4; 1994 c 647 art 7 s 1; art 8 s 1; *1Sp*1995 c 3 art 7 s 1; art 16 s 13; 1996 c 412 art 7 s 1; 1997 c 1 s 1; 1997 c 162 art 2 s 11; 1998 c 397 art 4 s 1,51; art 11 s 3; 1998 c 398 art 5 s 6,7,55; 2000 c 500 s 2

120B.03 [Repealed, 2000 c 500 s 21]

120B.031 IMPLEMENTING THE PROFILE OF LEARNING.

Subdivision 1. **School site determines required content standards.** (a) Notwithstanding any rule or law to the contrary, by August 15 of each year, each school district, area learning center, and charter school must notify the commissioner of the preparatory and high school content standards required at each site under paragraph (b).

(b)(1) Each public school site, by a majority vote of the licensed teachers and administrators at the site voting jointly and by a majority vote of the school board;

(2) each area learning center, by a majority vote of the licensed teachers and administrators at the site voting jointly and by a majority vote of the school board of the district in which the center is located; and

(3) each charter school, by a majority vote of the licensed teachers and administrators at the charter school voting jointly and with approval of the school's sponsor, must determine the number of preparatory and high school content standards that the school site requires students to complete, including the number of high school content standards students must complete to graduate.

(c) If a school site and the local school board, the area learning center and the school board of the district in which the center is located, or a charter school and its sponsor, are unable to agree on the preparatory or high school content standards required for students under paragraph (b), students at the school site must complete the state-required content standards.

(d) In addition to the reporting requirement under paragraph (a), a district, area learning center, and charter school shall report to the commissioner the schedule, by school year, that each school site will use to implement all the state-required preparatory and high school content standards.

(e) Each district shall continue to implement the profile of learning, provide learning opportunities for all students in all preparatory content standards in learning areas one to nine, and provide learning opportunities for students sufficient to meet the state graduation requirements in the high school content standards in all learning areas. A district shall offer at least one foreign language in learning area ten.

(f) To implement preparatory and high school content standards, school sites must work to improve the scope and sequence of curriculum, research-based instructional skills of teachers and other district staff who work with students, and alternative assessments of student achievement.

Subd. 2. Transcript data. For the 1998-1999 school year and later, a student's transcript shall record work completed in each content standard implemented in the district, area learning center, or charter school. For high school content standards completed before the 2000-2001 school year, a student may request that the transcript record a "complete" or "incomplete" and not the numeric score recorded in an earlier school year.

Subd. 3. Performance assessments. Districts, area learning centers, and charter schools are not required to use state or locally developed performance packages to assess student achievement of a content standard. A district, area learning center, or charter school must select performance assessments that have a grading system comparable to the criteria established under the definition of rubric contained in rule and consistent with subdivision 9. Districts, area learning centers, and charter schools may use one or more assessment methods to measure student performance on one or more content standards. The commissioner shall not mandate in rule or otherwise the assessment methods that local sites must use to meet the requirements under this section.

Subd. 4. Rigorous course of study; waiver. (a) Upon receiving a student's application approved by the student's parent or guardian, and with the recommendation of the student's teacher, a school district, area learning center, or charter school must declare that a student has completed a content standard if the local school board, the school board of the school district in which the area learning center is located, or charter school board of directors determines that:

(1) the student is participating in a course of study including an advanced placement or international baccalaureate course or a learning opportunity outside the curriculum of the district, area learning center, or charter school that is equally or more rigorous than the content standard required by the district, area learning center, or charter school or the state graduation rule; and

(2) achieving the content standard to be waived would preclude the student from participating in the rigorous course of study or learning opportunity.

(b) A student who satisfactorily completes a post-secondary enrollment options course or program under section 124D.09, that has been approved under paragraph (c), is not required to complete other requirements of the content standards corresponding to that specific rigorous course of study.

(c) By August 15, 2002, and each year thereafter, the board of regents of the University of Minnesota, the board of trustees of the Minnesota state colleges and universities, and the governing boards of Minnesota private colleges shall determine the courses offered at each post-secondary institution under the post-secondary enrollment options program that meet the requirements of paragraph (a) and shall notify the commissioner of those courses offered that meet the requirements. The commissioner shall make available a listing of the post-secondary enrollment options courses offered at post-secondary institutions meeting the requirements of this section.

(d) Notwithstanding paragraph (a) or (b), a student who entered ninth grade before the 2001-2002 school year and satisfactorily completes an advanced placement or international baccalaureate course, or a post-secondary enrollment options course under section 124D.09, satisfies the requirements of the content standards corresponding to that specific rigorous course of study.

Subd. 5. Students held harmless; waiver. A local school board, the school board of the school district in which the area learning center is located, or a charter school board of directors may waive any content standard for a student or group of students who entered ninth grade before the 2000-2001 school year if the governing board of the school site determines that the students could not meet the site's content standard due to circumstances related to implementing the profile of learning that were beyond the students' control.

Subd. 6. Student transfers; other waivers. A district, area learning center, and charter school must establish processes by which to transfer as completed:

(1) those content standards that other school sites within the district or other public schools verify on transcripts as completed;

(2) the work that educational institutions outside the state accept for completing the equivalent of content standards and verify on transcripts as completed; and

(3) a student's opportunities to complete high school content standards through learning the student acquires outside the district's curriculum, if the local governing board determines the work or learning the student completed differs from the content standards at the school site in which the student is enrolled and the student is unable to fulfill the content standards at the enrolling site.

Subd. 7. Completion of a content standard. Districts, area learning centers, and charter schools may:

(1) establish more than one content standard in a single course, consistent with section 120B.02, paragraph (f);

(2) develop a system allowing students to meet a content standard through different subject areas; and

(3) determine at what grade levels a content standard may be completed.

Subd. 8. Records. A district, area learning center, and charter school shall maintain records of the following at each site to submit to the commissioner for audit at the commissioner's request:

(1) examples of local assessments used to measure students' completion of a content standard;

(2) aggregate data on students' completion of each high school content standard;

(3) aggregate data on each year's high school graduates, including the number of high school content standards completed, and the level of achievement earned on each standard;

(4) anonymous examples of student work in each high school content standard; and

(5) the number and identity of available content standards, the number of required content standards, and the number of content standards completed by students.

Subd. 9. Scoring. The grade level of a student shall not prohibit a student from receiving the highest state exemplar score upon completion of a content standard. Teachers may assign a score of "0" to incomplete student work on a standard. The assessment of the content standard must be included as part of the student's grade for a subject or course.

Subd. 10. High standards tool library. (a) The commissioner shall maintain a high standards tool library that offers teachers in each of the content standards at all grade levels examples of assessment tools to assess students' achievement of standards, examples of lesson plans, best practices methods, research on proven methods, and examples of exemplar work aligned to the content standards.

(b) By June 30, 2000, the commissioner shall have established a variety of tools described in paragraph (a). The tool library must be interactive and allow teachers to submit a variety of tools. In addition to commissioner-approved tools, the commissioner shall reserve a portion of the tool library for tools submitted by teachers without the commissioner's review.

Subd. 11. Technology and record keeping. (a) The commissioner shall designate to school districts, area learning centers, and charter schools software packages for reporting student performance on the content standards. The commissioner shall ensure that the designated record-keeping software is capable of transferring student records between schools and school districts and is available to school districts at a minimal cost. The commissioner shall convene an advisory group composed of qualified experts and interested stakeholders to recommend to districts and charter schools record-keeping practices under the graduation rule. The commissioner must also report on technology needs for efficient daily classroom record-keeping and accountability reporting.

(b) The commissioner shall notify the education committees of the legislature that the requirements in paragraph (a) have been met.

Subd. 12. Examination and evaluation panel. The commissioner shall establish an academic panel to examine, evaluate, and sustain the rigor of the content standards contained in the Minnesota graduation rule. The commissioner shall consider regional representation when selecting members for the panel. The panel shall be composed of:

(1) two teachers selected by Education Minnesota, one of which shall have been a teacher of the year, and one with national board certification;

(2) deans of the colleges of education from the University of Minnesota, a Minnesota state college, and a Minnesota private college;

(3) a director of curriculum and instruction;

(4) an assessment practitioner;

(5) a school board member selected by the Minnesota school boards association; and

(6) an elementary school principal, a middle school principal, and a high school principal, each selected by the state organization representing such principals.

In the process of examining, evaluating, and sustaining the rigor of the state standards, the panel shall consult with recognized national and international education experts on academic standards and the independent office of educational accountability under section 120B.31, subdivision 3. The panel shall receive and analyze the report from the external review of the profile of learning standards, procedures, and assessments now underway through a contract with the department of children, families, and learning. The external review must evaluate the quality of the state's standards and assessments as an integrated educational system. The panel may make recommendations for refining the profile of learning based on the external review and must compare and report the rigor of the state standards and the north star standard by

December 15, 2000, to the commissioner. The recommendations may include changes effected through administrative changes and changes in statutes or rule. Beginning July 1, 2001, and on every even-numbered year thereafter, the panel shall submit its evaluation of the rigor of the state standards and make recommendations to the commissioner.

History: 1998 c 397 art 4 s 51; 1998 c 398 art 5 s 9; 2000 c 500 s 3-14

120B.04 [Repealed, 2000 c 500 s 21].

120B.05 [Repealed, 1999 c 241 art 1 s 69]

120B.07 EARLY GRADUATION.

Notwithstanding any law to the contrary, any secondary school student who has completed all required courses or standards may, with the approval of the student, the student's parent or guardian, and local school officials, graduate before the completion of the school year. General education revenue attributable to the student must be paid as though the student was in attendance for the entire year.

History: 1974 c 521 s 7; 1975 c 432 s 12; 1979 c 334 art 1 s 1; 1983 c 216 art 1 s 24; 1983 c 314 art 1 s 22; 1985 c 248 s 70; 1986 c 444; 1988 c 486 s 7; 1998 c 397 art 2 s 73, 164; 1Sp2001 c 6 art 1 s 4

CURRICULUM

120B.10 FINDINGS; IMPROVING INSTRUCTION AND CURRICULUM.

The legislature finds that a process is needed to enable school boards and communities to decide matters related to planning, providing, and improving education instruction and curriculum in the context of the state's high school graduation standards. The process should help districts evaluate the impact of instruction and curriculum on students' abilities to meet graduation standards, use evaluation results to improve instruction and curriculum, and determine services that districts and other public education entities can provide collaboratively with institutions including families and private or public organizations and agencies. The legislature anticipates that a highly focused public education strategy will be an integral part of each district's review and improvement of instruction and curriculum.

History: 1996 c 412 art 7 s 3; 1998 c 397 art 6 s 124

120B.11 SCHOOL DISTRICT PROCESS.

Subdivision 1. **Definitions.** For the purposes of this section and section 120B.10, the following terms have the meanings given them.

(a) "Instruction" means methods of providing learning experiences that enables a student to meet graduation standards.

(b) "Curriculum" means written plans for providing students with learning experiences that lead to knowledge, skills, and positive attitudes.

Subd. 2. **Adopting policies.** (a) A school board shall adopt annually a written policy that includes the following:

- (1) district goals for instruction and curriculum;
- (2) a process for evaluating each student's progress toward meeting graduation standards and identifying the strengths and weaknesses of instruction and curriculum affecting students' progress;
- (3) a system for periodically reviewing all instruction and curriculum;
- (4) a plan for improving instruction and curriculum; and
- (5) an instruction plan that includes education effectiveness processes developed under section 122A.625 and integrates instruction, curriculum, and technology.

Subd. 3. **Instruction and curriculum advisory committee.** Each school board shall establish an instruction and curriculum advisory committee to ensure active community

participation in all phases of planning and improving the instruction and curriculum affecting state graduation standards. A district advisory committee, to the extent possible, shall reflect the diversity of the district and its learning sites, and shall include teachers, parents, support staff, pupils, and other community residents. The district may establish building teams as subcommittees of the district advisory committee under subdivision 4. The district advisory committee shall recommend to the school board districtwide education standards, assessments, and program evaluations. Learning sites may expand upon district evaluations of instruction, curriculum, assessments, or programs. Whenever possible, parents and other community residents shall comprise at least two-thirds of advisory committee members.

Subd. 4. **Building team.** A school may establish a building team to develop and implement an education effectiveness plan to improve instruction and curriculum. The team shall advise the board and the advisory committee about developing an instruction and curriculum improvement plan that aligns curriculum, assessment of student progress in meeting state graduation standards, and instruction.

Subd. 5. **Report.** (a) By October 1 of each year, the school board shall use standard statewide reporting procedures the commissioner develops and adopt a report that includes the following:

- (1) student performance goals for meeting state graduation standards adopted for that year;
- (2) results of local assessment data, and any additional test data;
- (3) the annual school district improvement plans;
- (4) information about district and learning site progress in realizing previously adopted improvement plans; and
- (5) the amount and type of revenue attributed to each education site as defined in section 123B.04.

(b) The school board shall publish the report in the local newspaper with the largest circulation in the district or by mail. The board shall make a copy of the report available to the public for inspection. The board shall send a copy of the report to the commissioner of children, families, and learning by October 15 of each year.

(c) The title of the report shall contain the name and number of the school district and read "Annual Report on Curriculum, Instruction, and Student Performance." The report must include at least the following information about advisory committee membership:

- (1) the name of each committee member and the date when that member's term expires;
- (2) the method and criteria the school board uses to select committee members; and
- (3) the date by which a community resident must apply to next serve on the committee.

Subd. 6. **Student evaluation.** The school board annually shall provide high school graduates or GED recipients who receive a diploma or its equivalent from the school district with an opportunity to report to the board on the following:

- (1) the quality of district instruction, curriculum, and services;
- (2) the quality of district delivery of instruction, curriculum, and services;
- (3) the utility of district facilities; and
- (4) the effectiveness of district administration.

Subd. 7. **Periodic report.** Each school district shall periodically ask affected constituencies about their level of satisfaction with school. The district shall include the results of this evaluation in the report required under subdivision 5.

Subd. 8. **Biennial evaluation; assessment program.** At least once every two years, the district report shall include an evaluation of the district testing programs, according to the following:

- (1) written objectives of the assessment program;

- (2) names of tests and grade levels tested;
- (3) use of test results; and
- (4) implementation of an assurance of mastery program.

History: 1996 c 412 art 7 s 4; 1Sp1997 c 4 art 5 s 12; 1998 c 397 art 6 s 124; art 11 s 3; 2000 c 254 s 2

120B.12 READING INTERVENTION.

Subdivision 1. **Literacy goal.** The legislature seeks to have Minnesota's children able to read no later than the end of second grade.

Subd. 2. **Identification.** For the 2002-2003 school year and later, each school district shall identify before the end of first grade students who are at risk of not learning to read before the end of second grade. The district must use a locally adopted assessment method.

Subd. 3. **Intervention.** For each student identified under subdivision 2, the district shall provide a reading intervention method or program to assist the student in reaching the goal of learning to read no later than the end of second grade. District intervention methods shall encourage parental involvement and, where possible, collaboration with appropriate school and community programs. Intervention methods may include, but are not limited to, requiring attendance in summer school and intensified reading instruction that may require that the student be removed from the regular classroom for part of the school day.

Subd. 4. **Staff development.** Each district shall identify the staff development needs to ensure that:

- (1) elementary teachers are able to implement comprehensive, scientifically based, and balanced reading instruction programs that have resulted in improved student performance;
- (2) elementary teachers who are instructing students identified under subdivision 2 are prepared to teach using the intervention methods or programs selected by the district for the identified students; and
- (3) all licensed teachers employed by the district have regular opportunities to improve reading instruction.

Subd. 5. **Commissioner.** The commissioner shall recommend to districts multiple assessment tools that will assist districts and teachers with identifying students under subdivision 2. The commissioner shall also make available to districts examples of nationally recognized and research-based instructional methods or programs that districts may use to provide reading intervention according to this section.

History: 1Sp2001 c 13 s 12

120B.125 INVOLUNTARY CAREER TRACKING PROHIBITED.

A school district may develop grade-level curricula or provide instruction that introduces students to various careers, but must not require any curriculum, instruction, or employment-related activity that obligates an elementary or secondary student to involuntarily select a career, career interest, employment goals, or related job training.

History: 1Sp2001 c 6 art 2 s 3

120B.13 ADVANCED PLACEMENT AND INTERNATIONAL BACCALAUREATE PROGRAMS.

Subdivision 1. **Program structure; training programs for teachers.** (a) The advanced placement and international baccalaureate programs are well-established academic programs for mature, academically directed high school students. These programs, in addition to providing academic rigor, offer sound curricular design, accountability, comprehensive external assessment, feedback to students and teachers, and the opportunity for high school students to compete academically on a global level. Advanced placement and international baccalaureate programs allow students to leave high school with the academic skills and self-confidence to succeed in

college and beyond. The advanced placement and international baccalaureate programs help provide Minnesota students with world-class educational opportunity.

(b) Critical to schools' educational success is ongoing advanced placement/international baccalaureate-approved teacher training. A secondary teacher assigned by a district to teach an advanced placement or international baccalaureate course or other interested educator may participate in a training program offered by the college board or International Baccalaureate North America, Inc. The state may pay a portion of the tuition, room, and board costs a teacher or other interested educator incurs in participating in a training program. The commissioner shall determine application procedures and deadlines, and select teachers and other interested educators to participate in the training program. The procedures determined by the commissioner shall, to the extent possible, ensure that advanced placement and international baccalaureate courses become available in all parts of the state and that a variety of course offerings are available in school districts. This subdivision does not prevent teacher or other interested educator participation in training programs offered by the college board or International Baccalaureate North America, Inc., when tuition is paid by a source other than the state.

Subd. 2. Support programs. The commissioner shall provide support programs during the school year for teachers who attended the training programs and teachers experienced in teaching advanced placement or international baccalaureate courses. The support programs shall provide teachers with opportunities to share instructional ideas with other teachers. The state may pay the costs of participating in the support programs, including substitute teachers, if necessary, and program affiliation costs.

Subd. 3. Subsidy for examination fees. The state may pay all or part of the fee for advanced placement or international baccalaureate examinations for pupils of low-income families in public and nonpublic schools. The commissioner shall adopt a schedule for fee subsidies that may allow payment of the entire fee for low-income families, as defined by the commissioner. The commissioner shall determine procedures for state payments of fees.

Subd. 4. Information. The commissioner shall submit the following information to the education committees of the legislature each year by February 1:

- (1) the number of pupils enrolled in advanced placement and international baccalaureate courses in each school district;
- (2) the number of teachers in each district attending training programs offered by the college board or International Baccalaureate North America, Inc.;
- (3) the number of teachers in each district participating in support programs;
- (4) recent trends in the field of advanced placement and international baccalaureate programs;
- (5) expenditures for each category in this section; and
- (6) other recommendations for the state program.

History: 1992 c 499 art 7 s 10; 1993 c 224 art 13 s 46; 1994 c 647 art 7 s 9; 1Sp1995 c 3 art 16 s 13; 1998 c 397 art 2 s 129,164; 2000 c 489 art 6 s 1; 1Sp2001 c 6 art 2 s 2; 2002 c 220 art 3 s 1

120B.14 ADVANCED ACADEMIC CREDIT.

A district must grant academic credit to a pupil attending an accelerated or advanced academic course offered by a higher education institution or a nonprofit public agency other than the district, if the pupil successfully completes the course attended and passes an examination approved by the district. If no comparable course is offered by the district, the commissioner shall determine the number of credits which shall be granted to a pupil who successfully completes and passes the course. If a comparable course is offered by the district, the board must grant a comparable number of credits to the pupil. If there is a dispute between the district and the pupil regarding the number of credits granted for a particular course, the pupil may appeal

the school board's decision to the commissioner. The commissioner's decision regarding the number of credits shall be final.

The credits granted to a pupil shall be counted toward the graduation requirements and subject area requirements of the district. Evidence of successful completion of each class and credits granted shall be included in the pupil's secondary school record.

History: 1984 c 463 art 7 s 8; 1993 c 224 art 13 s 21; 1998 c 397 art 2 s 74,164

120B.16 SECONDARY CREDIT FOR STUDENTS.

A student who satisfactorily completes a high school course shall receive secondary course credit and the credit shall count toward the student's graduation requirements.

History: 1993 c 224 art 9 s 35; 1996 c 412 art 7 s 12; 1998 c 397 art 9 s 26

120B.18 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; 1998 c 397 art 9 s 26

120B.20 PARENTAL CURRICULUM REVIEW.

Each school district shall have a procedure for a parent, guardian, or an adult student, 18 years of age or older, to review the content of the instructional materials to be provided to a minor child or to an adult student and, if the parent, guardian, or adult student objects to the content, to make reasonable arrangements with school personnel for alternative instruction. Alternative instruction may be provided by the parent, guardian, or adult student if the alternative instruction, if any, offered by the school board does not meet the concerns of the parent, guardian, or adult student. The school board is not required to pay for the costs of alternative instruction provided by a parent, guardian, or adult student. School personnel may not impose an academic or other penalty upon a student merely for arranging alternative instruction under this section. School personnel may evaluate and assess the quality of the student's work.

History: 1993 c 224 art 12 s 29; 1998 c 397 art 6 s 124

120B.22 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 and domestic abuse programs, battered women's shelters, 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 service cooperatives;

(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.

Subd. 2. In-service training. Each district is encouraged to provide training for district staff and school board members to help students identify violence in the family and the community so that students may learn to resolve conflicts in effective, nonviolent ways. The in-service training must be ongoing and involve experts familiar with domestic violence and personal safety issues.

Subd. 3. Funding sources. Districts may accept funds from public and private sources for violence prevention programs developed and implemented under this section.

History: 1992 c 571 art 10 s 6; 1994 c 647 art 4 s 34; 1Sp1995 c 3 art 16 s 13; 1996 c 305 art 1 s 138; 1Sp1997 c 4 art 7 s 9; 1998 c 397 art 3 s 92,103; 2000 c 445 art 2 s 6

120B.23 VIOLENCE PREVENTION EDUCATION GRANTS.

Subdivision 1. Grant program established. The commissioner of children, families, and learning, after consulting with the assistant commissioner of the office of drug policy and violence prevention, shall establish a violence prevention education grant program to enable a school district, an education district, or a group of districts that cooperate for a particular purpose to develop and implement or to continue a violence prevention program for students in kindergarten through grade 12 that can be integrated into existing curriculum. A district or group of districts that elects to develop and implement or to continue a violence prevention program under section 120B.22 is eligible to apply for a grant under this section.

Subd. 2. Grant application. To be eligible to receive a grant, a school district, an education district, a service cooperative, or a group of districts that cooperate for a particular purpose must submit an application to the commissioner in the form and manner and according to the timeline established by the commissioner. The application must describe how the applicant will: (1) continue or integrate into its existing K-12 curriculum a program for violence prevention that contains the program components listed in section 120B.22; (2) collaborate with local organizations involved in violence prevention and intervention; and (3) structure the program to reflect the characteristics of the children, their families and the community involved in the program. The commissioner may require additional information from the applicant. When reviewing the applications, the commissioner shall determine whether the applicant has met the requirements of this subdivision.

Subd. 3. **Grant awards.** The commissioner may award grants for a violence prevention education program to eligible applicants as defined in subdivision 2. Grant amounts may not exceed \$3 per resident pupil unit in the district or group of districts in the prior school year. Grant recipients should be geographically distributed throughout the state.

Subd. 4. **Grant proceeds.** A successful applicant must use the grant money to develop and implement or to continue a violence prevention program according to the terms of the grant application.

History: 1992 c 571 art 10 s 30; 1994 c 576 s 2; 1994 c 647 art 4 s 35; 1Sp1995 c 3 art 9 s 29; art 16 s 13; 1998 c 397 art 3 s 93,103; art 11 s 3

120B.24 ENDOWED CHAIR.

Subdivision 1. **Purpose.** The purpose of the endowed chair program is to increase curriculum offerings and learning experiences available to students.

Subd. 2. **Eligibility.** A school site, represented by the school site council or, if no site council exists, the principal or lead teacher, and the party interested in endowing a chair may enter into an agreement for an endowed chair for no longer than one year in length. The party endowing the chair and the school site may, at their discretion, renew annually.

Subd. 3. **Program.** An endowed chair program may be for a semester, a summer session, or a full school year. Curriculum developed or provided under the endowed chair program must supplement the existing curriculum offerings available at the school in the particular subject chosen.

Subd. 4. **Agreement.** The agreement must make available funds sufficient for the salary and benefit costs of the instructor, and necessary supplies for the course. The participating site must provide the classroom space and administer the program. The parties, in consultation with the school district and the exclusive representative of the teachers, jointly select the instructor for the endowed chair.

History: 1996 c 412 art 8 s 9; 1998 c 397 art 6 s 124

ASSESSMENT; ACCOUNTABILITY

120B.30 STATEWIDE TESTING AND REPORTING SYSTEM.

Subdivision 1. **Statewide testing.** (a) The commissioner, with advice from experts with appropriate technical qualifications and experience and stakeholders, shall include in the comprehensive assessment system, for each grade level to be tested, a test, which shall be aligned with the state's graduation standards and administered annually to all students in the third, fifth, seventh, and eighth grades. The commissioner shall establish one or more months during which schools shall administer the tests to students each school year. Only Minnesota basic skills tests in reading, mathematics, and writing shall fulfill students' basic skills testing requirements for a passing state notation. The passing scores of the state tests in reading and mathematics are the equivalent of:

(1) 70 percent correct for students entering grade 9 in 1996; and

(2) 75 percent correct for students entering grade 9 in 1997 and thereafter, as based on the first uniform test administration of February 1998.

(b) Third, fifth, and seventh grade test results shall be available to districts for diagnostic purposes affecting student learning and district instruction and curriculum, and for establishing educational accountability. The commissioner must disseminate to the public the third, fifth, and seventh grade test results upon receiving those results.

(c) In addition, at the high school level, districts shall assess student performance in all required learning areas and selected required standards within each area of the profile of learning. The testing instruments, the testing process, and the order of administration shall be determined by the commissioner. The results shall be aggregated at the site and district level.

(d) The commissioner shall report school site and school district student academic achievement levels of the current and two immediately preceding school years. The report shall include students' unweighted mean test scores in each tested subject, the unweighted mean test scores of only those students enrolled in the school by October 1 of the current school year, and the unweighted test scores of all students except those students receiving limited English proficiency instruction. The report also shall record separately, in proximity to the reported performance levels, the percentage of students of each gender and the percentages of students who are eligible to receive a free or reduced price school meal, demonstrate limited English proficiency, are identified as migrant students, are a member of a major ethnic or racial population, or are eligible to receive special education services.

(e) In addition to the testing and reporting requirements under paragraphs (a), (b), (c); and (d), the commissioner shall include the following components in the statewide public reporting system:

(1) uniform statewide testing of all third, fifth, seventh, eighth, and post-eighth grade students that provides exemptions, only with parent or guardian approval, for those very few students for whom the student's individual education plan team under sections 125A.05 and 125A.06, determines that the student is incapable of taking a statewide test, or for a limited English proficiency student under section 124D.59, subdivision 2, if the student has been in the United States for fewer than 12 months and for whom special language barriers exist, such as the student's native language does not have a written form or the district does not have access to appropriate interpreter services for the student's native language;

(2) educational indicators that can be aggregated and compared across school districts and across time on a statewide basis, including average daily attendance, high school graduation rates, and high school drop-out rates by age and grade level;

(3) students' scores on the American College Test; and

(4) participation in the National Assessment of Educational Progress so that the state can benchmark its performance against the nation and other states, and, where possible, against other countries, and contribute to the national effort to monitor achievement.

(f) Districts must report exemptions under paragraph (e), clause (1), to the commissioner consistent with a format provided by the commissioner.

Subd. 2. Department of children, families, and learning assistance. The department of children, families, and learning shall contract for professional and technical services according to competitive bidding procedures under chapter 16C for purposes of this section.

Subd. 3. Reporting. The commissioner shall report test data publicly and to stakeholders, including the three performance baselines developed from students' unweighted mean test scores in each tested subject and a listing of demographic factors that strongly correlate with student performance. The commissioner shall also report data that compares performance results among school sites, school districts, Minnesota and other states, and Minnesota and other nations. The commissioner shall disseminate to schools and school districts a more comprehensive report containing testing information that meets local needs for evaluating instruction and curriculum.

History: 1997 c 138 s 1; 1998 c 386 art 2 s 38; 1998 c 397 art 4 s 2, 51; art 11 s 3; 1998 c 398 art 5 s 8; 1999 c 241 art 9 s 3; 2000 c 489 art 6 s 2; 2000 c 500 s 15; 1Sp2001 c 6 art 2 s 4

120B.31 SYSTEM ACCOUNTABILITY AND STATISTICAL ADJUSTMENTS.

Subdivision 1. Educational accountability and public reporting. Consistent with the process to adopt a results-oriented graduation rule under section 120B.02, the department, in consultation with education and other system stakeholders, must establish a coordinated and comprehensive system of educational accountability and public reporting that promotes higher academic achievement.

Subd. 2. **Statewide testing.** Each school year, all school districts shall give a uniform statewide test to students at specified grades to provide information on the status, needs and performance of Minnesota students.

Subd. 3. **Educational accountability.** (a) The independent office of educational accountability, as authorized by Laws 1997, First Special Session chapter 4, article 5, section 28, subdivision 2, is established. The office shall advise the education committees of the legislature and the commissioner of children, families, and learning, at least on a biennial basis, on the degree to which the statewide educational accountability and reporting system includes a comprehensive assessment framework that measures school accountability for students achieving the goals described in the state's results-oriented graduation rule. The office shall consider whether the statewide system of educational accountability utilizes multiple indicators to provide valid and reliable comparative and contextual data on students, schools, districts, and the state, and if not, recommend ways to improve the accountability reporting system.

(b) When the office reviews the statewide educational accountability and reporting system, it shall also consider:

(1) the objectivity and neutrality of the state's educational accountability system; and

(2) the impact of a testing program on school curriculum and student learning.

Subd. 4. **Statistical adjustments.** In developing policies and assessment processes to hold schools and districts accountable for high levels of academic standards, including the profile of learning, the commissioner shall aggregate student data over time to report student performance levels measured at the school district, regional, or statewide level. When collecting and reporting the data, the commissioner shall: (1) acknowledge the impact of significant demographic factors such as residential instability, the number of single parent families, parents' level of education, and parents' income level on school outcomes; and (2) organize and report the data so that state and local policymakers can understand the educational implications of changes in districts' demographic profiles over time. Any report the commissioner disseminates containing summary data on student performance must integrate student performance and the demographic factors that strongly correlate with that performance.

History: 1996 c 412 art 7 s 2; 1997 c 1 s 2; 1998 c 397 art 4 s 3,4,51; art 11 s 3; 1998 c 398 art 5 s 10,55

120B.35 STUDENT ACADEMIC ACHIEVEMENT AND PROGRESS.

Subdivision 1. **Adequate yearly progress of schools and students.** The commissioner must develop and implement a system for measuring and reporting academic achievement and individual student progress, consistent with the statewide educational accountability and reporting system. The components of the system must measure the adequate yearly progress of schools and individual students: students' current achievement in schools under subdivision 2; and individual students' educational progress over time under subdivision 3. The system also must include statewide measures of student academic achievement that identify schools with high levels of achievement, and also schools with low levels of achievement that need improvement. When determining a school's effect, the data must include both statewide measures of student achievement and, to the extent annual tests are administered, indicators of achievement growth that take into account a student's prior achievement. Indicators of achievement and prior achievement must be based on highly reliable statewide or districtwide assessments. Indicators that take into account a student's prior achievement must not be used to disregard a school's low achievement or to exclude a school from a program to improve low achievement levels. The commissioner by January 15, 2002, must submit a plan for integrating these components to the chairs of the legislative committees having policy and budgetary responsibilities for elementary and secondary education.

Subd. 2. **Student academic achievement.** (a) Each school year, a school district must determine if the student achievement levels at each school site meet state and local expectations. If student achievement levels at a school site do not meet state and

local expectations and the site has not made adequate yearly progress for two consecutive school years, beginning with the 2001-2002 school year, the district must work with the school site to adopt a plan to raise student achievement levels to meet state and local expectations. The commissioner of children, families, and learning shall establish student academic achievement levels.

(b) School sites identified as not meeting expectations must develop continuous improvement plans in order to meet state and local expectations for student academic achievement. The department, at a district's request, must assist the district and the school site in developing a plan to improve student achievement. The plan must include parental involvement components.

(c) The commissioner must:

(1) provide assistance to school sites and districts identified as not meeting expectations; and

(2) provide technical assistance to schools that integrate student progress measures under subdivision 3 in the school continuous improvement plan.

(d) The commissioner shall establish and maintain a continuous improvement Web site designed to make data on every school and district available to parents, teachers, administrators, community members, and the general public.

Subd. 3. Student progress assessment. (a) The educational assessment system component measuring individual students' educational progress must be based, to the extent annual tests are administered, on indicators of achievement growth that show an individual student's prior achievement. Indicators of achievement and prior achievement must be based on highly reliable statewide or districtwide assessments.

(b) The commissioner must identify effective models for measuring individual student progress that enable a school district or school site to perform gains-based analysis, including evaluating the effects of the teacher, school, and school district on student achievement over time. At least one model must be a "value-added" assessment model that reliably estimates those effects for classroom settings where a single teacher teaches multiple subjects to the same group of students, for team teaching arrangements, and for other teaching circumstances.

(c) If a district has an accountability plan that includes gains-based analysis or "value-added" assessment, the commissioner shall, to the extent practicable, incorporate those measures in determining whether the district or school site meets expectations. The department must coordinate with the district in evaluating school sites and continuous improvement plans, consistent with best practices.

Subd. 4. Improving schools. Consistent with the requirements of this section, the commissioner of children, families, and learning must establish a second achievement benchmark to identify improving schools. The commissioner must recommend to the legislature by February 15, 2002, indicators in addition to the achievement benchmark for identifying improving schools, including an indicator requiring a school to demonstrate ongoing successful use of best teaching practices.

History: 1998 c 398 art 9 s 1; 1999 c 241 art 9 s 4; 2000 c 500 s 16; 1Sp2001 c 6 art 2 s 5

120B.38 [Repealed, 1998 c 398 art 6 s 38]

120B.39 UNIFORM FORMS FOR STATE EXAMINATIONS; COMMISSIONER.

Upon the request of any superintendent of any public or private school teaching high school courses in the state, the commissioner shall designate or prepare uniform forms for state examinations in each high school subject during the month of May of each year; the request shall be in writing and delivered to the commissioner before January 1 of that year.

History: Ex1959 c 71 art 2 s 16; 1969 c 1129 art 8 s 16; 1977 c 305 s 41; 1978 c 764 s 8; 1983 c 150 s 1; 1992 c 499 art 8 s 1; 1993 c 224 art 9 s 16,17; 1Sp1995 c 3 art 16 s 13; 1998 c 397 art 4 s 51; 1998 c 398 art 6 s 4-12