

(5) propose a formal, interagency decision-making process and a plan to fund supportive housing proposals based on the agreed upon criteria, with the goal of maximizing access to funding for the capital, operating, and services costs of supportive housing proposals either scattered site or project based;

(6) identify and recommend models to coordinate mainstream resources and services, i.e., resources and services available to the general population, or more specifically, low-income populations, that can be utilized to assist individuals and families experiencing homelessness, so that housing and homelessness supports can be maximized; and

(7) identify and recommend remediation actions to remove barriers individuals and families experiencing homelessness face when attempting to access mainstream resources and services.

The plan must include an estimate of the statewide need for supportive housing, an estimate of necessary resources to implement the plan, and alternative timetables for implementation of the plan and propose changes in laws and regulations that impede the effective delivery and coordination of services for the targeted population in affordable housing.

The commissioners must report on the status of efforts by the working group to improve the effectiveness of the delivery and coordination of services and access to housing for individuals and families experiencing long-term homelessness and recommend next steps to the appropriate committees of the legislature by February 15, 2004.

Presented to the governor May 24, 2003

Signed by the governor May 28, 2003, 4:04 p.m.

CHAPTER 129—H.F.No. 302

An act relating to education; repealing and replacing the profile of learning; providing for rulemaking; amending Minnesota Statutes 2002, sections 120B.02; 120B.30, subdivision 1, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 120B; repealing Minnesota Statutes 2002, section 120B.031; Minnesota Rules, parts 3501.0300; 3501.0310; 3501.0320; 3501.0330; 3501.0340; 3501.0350; 3501.0370; 3501.0380; 3501.0390; 3501.0400; 3501.0410; 3501.0420; 3501.0440; 3501.0441; 3501.0442; 3501.0443; 3501.0444; 3501.0445; 3501.0446; 3501.0447; 3501.0448; 3501.0449; 3501.0450; 3501.0460; 3501.0461; 3501.0462; 3501.0463; 3501.0464; 3501.0465; 3501.0466; 3501.0467; 3501.0468; 3501.0469.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

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ARTICLE 1

REPLACING PROFILE OF LEARNING STANDARDS
AND GRADUATION REQUIREMENTSSection 1. ~~[120B.019] REPEALING PROFILE OF LEARNING STATUTES AND RULES.~~

Notwithstanding sections 120B.02, 120B.30, 120B.31, and 120B.35, or other law to the contrary, the commissioner of children, families, and learning must not implement the profile of learning portion of the state's results-oriented graduation rule.

EFFECTIVE DATE. This section is effective the day following final enactment and applies to the 2003-2004 school year and later.

Sec. 2. Minnesota Statutes 2002, section 120B.02, is amended to read:

120B.02 RESULTS-ORIENTED GRADUATION RULE; BASIC SKILLS REQUIREMENTS; PROFILE OF LEARNING EDUCATIONAL EXPECTATIONS FOR MINNESOTA'S STUDENTS.

(a) The legislature is committed to establishing a rigorous, ~~results-oriented graduation rule~~ academic standards 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 in rule statewide, results-oriented graduation rule to be implemented starting with students beginning ninth grade in the 1996-1997 school year academic standards. The commissioner shall not prescribe in rule or otherwise the delivery system, classroom assessments, 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 for funding purposes.

(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

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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 require students to pass the basic skills test 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 satisfactorily complete, as determined by the school district, the course credit requirements under section 120B.024.

(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) (d) The commissioner shall periodically review and report on the state's 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;

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

EFFECTIVE DATE. This section is effective the day following final enactment.

Sec. 3. [120B.021] **REQUIRED ACADEMIC STANDARDS.**

Subdivision 1. REQUIRED ACADEMIC STANDARDS. The following subject areas are required for statewide accountability:

(1) language arts;

(2) mathematics;

(3) science;

(4) social studies, including history, geography, economics, and government and citizenship; and

(5) the arts, for which statewide or locally developed academic standards apply, as determined by the school district. Public elementary and middle schools must offer at least three and require at least two of the following four arts areas: dance; music; theater; and visual arts. Public high schools must offer at least three and require at least one of the following five arts areas: media arts; dance; music; theater; and visual arts.

The commissioner must submit proposed standards in science and social studies to the legislature by February 1, 2004.

For purposes of applicable federal law, the academic standards for language arts, mathematics and science apply to all public school students, except the very few students with extreme cognitive or physical impairments for whom an individualized education plan team has determined that the required academic standards are inappropriate. An individualized education plan team that makes this determination must establish alternative standards.

A school district, no later than the 2007-2008 school year, must adopt graduation requirements that meet or exceed state graduation requirements established in law or rule. A school district that incorporates these state graduation requirements before the 2007-2008 school year must provide students who enter the ninth grade in or before the 2003-2004 school year the opportunity to earn a diploma based on existing locally established graduation requirements in effect when the students entered the ninth grade. District efforts to develop, implement, or improve instruction or curriculum as

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a result of the provisions of this section must be consistent with sections 120B.10, 120B.11, and 120B.20.

Subd. 2. STANDARDS DEVELOPMENT. (a) The commissioner must consider advice from at least the following stakeholders in developing statewide rigorous core academic standards in language arts, mathematics, science, social studies, including history, geography, economics, government and citizenship, and the arts:

(1) parents of school-age children and members of the public throughout the state;

(2) teachers throughout the state currently licensed and providing instruction in language arts, mathematics, science, social studies, or the arts and licensed elementary and secondary school principals throughout the state currently administering a school site;

(3) currently serving members of local school boards and charter school boards throughout the state;

(4) faculty teaching core subjects at postsecondary institutions in Minnesota; and

(5) representatives of the Minnesota business community.

(b) Academic standards must:

(1) be clear, concise, objective, measurable, and grade-level appropriate;

(2) not require a specific teaching methodology or curriculum; and

(3) be consistent with the constitutions of the United States and the state of Minnesota.

Subd. 3. RULEMAKING. (a) The commissioner, consistent with the requirements of this section and section 120B.022, must adopt statewide rules under section 14.389 for implementing statewide rigorous core academic standards in language arts, mathematics and the arts. After the rules authorized under this paragraph are initially adopted, the commissioner may not amend or repeal these rules nor adopt new rules on the same topic without specific legislative authorization. These academic standards must be implemented for all students beginning in the 2003-2004 school year.

(b) The rules authorized under this section are not subject to section 14.127.

EFFECTIVE DATE. This section is effective the day following final enactment.

Sec. 4. [120B.022] ELECTIVE STANDARDS.

Subdivision 1. ELECTIVE STANDARDS. A district must establish its own standards in the following subject areas:

(1) health and physical education;

(2) vocational and technical education; and

(3) world languages.

A school district must offer courses in all elective subject areas.

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Subd. 2. **LOCAL ASSESSMENTS.** A district must use a locally selected assessment to determine if a student has achieved an elective standard.

EFFECTIVE DATE. This section is effective the day following final enactment.

Sec. 5. [120B.023] BENCHMARKS.

(a) The commissioner must supplement required state academic standards with grade-level benchmarks. High school benchmarks may cover more than one grade. The benchmarks must implement statewide academic standards by specifying the academic knowledge and skills that schools must offer and students must achieve to satisfactorily complete a state standard. Benchmarks are published to inform and guide parents, teachers, school districts and other interested persons and for use in developing tests consistent with the benchmarks.

(b) The commissioner shall publish benchmarks in the State Register and transmit the benchmarks in any other manner that makes them accessible to the general public. The commissioner may charge a reasonable fee for publications.

(c) Once established, the commissioner may change the benchmarks only with specific legislative authorization and after completing a review under paragraph (d).

(d) The commissioner must develop and implement a system for reviewing on a four-year cycle each of the required academic standards and related benchmarks and elective standards beginning in the 2006-2007 school year.

(e) The benchmarks are not subject to chapter 14 and section 14.386 does not apply.

EFFECTIVE DATE. This section is effective the day following final enactment.

Sec. 6. [120B.024] GRADUATION REQUIREMENTS; COURSE CREDITS.

Students beginning ninth grade in the 2004-2005 school year and later must successfully complete the following high school level course credits for graduation:

(1) four credits of language arts;

(2) three credits of mathematics, encompassing at least algebra, geometry, statistics and probability sufficient to satisfy the academic standard;

(3) three credits of science, including at least one credit in biology;

(4) three and one-half credits of social studies, including at least one credit of United States history, one credit of geography, 0.5 credits of government and citizenship, 0.5 credits of world history, and 0.5 credits of economics; and

(5) a minimum of eight elective course credits, including at least one credit in the arts.

A course credit is equivalent to a student's successful completion of an academic year of study or a student's mastery of the applicable subject matter, as determined by the local school district.

EFFECTIVE DATE. This section is effective the day following final enactment.

New language is indicated by underline, deletions by strikeout.

Sec. 7. Minnesota Statutes 2002, section 120B.30, subdivision 1, is amended to read:

Subdivision 1. **STATEWIDE TESTING.** (a) The commissioner, with advice from experts with appropriate technical qualifications and experience and stakeholders, consistent with subdivision 1a, shall include in the comprehensive assessment system, for each grade level to be tested, a test, which shall be state-constructed tests developed from and aligned with the state's graduation required academic standards under section 120B.021 and administered annually to all students in the third, fifth, seventh, and eighth grades 3 through 8 and at the high school level. A state-developed test in a subject other than writing, developed after the 2002-2003 school year, must include both multiple choice and constructed response questions. 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) The third, fifth, and seventh through eighth grade and high school level 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, State tests must be constructed and aligned with state academic standards. The testing process, and the order of administration shall be determined by the commissioner. The statewide results shall be aggregated at the site and district level, consistent with subdivision 1a.

(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) this section, the commissioner shall include the following components in the statewide public reporting system:

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(1) uniform statewide testing of all ~~third, fifth, seventh, eighth, and post-eighth grade students in grades 3 through 8 and at the high school level~~ 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~~ three years;

(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) state results from 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) ~~(e)~~ Districts must report exemptions under paragraph ~~(e)~~ (d), clause (1), to the commissioner consistent with a format provided by the commissioner.

EFFECTIVE DATE. This section is effective the day following final enactment and applies to the 2005-2006 school year and later.

Sec. 8. Minnesota Statutes 2002, section 120B.30, is amended by adding a subdivision to read:

Subd. 1a. STATEWIDE AND LOCAL ASSESSMENTS; RESULTS. (a) The commissioner must develop language arts, mathematics and science assessments aligned with state academic standards that districts and sites must use to monitor student growth toward achieving those standards. The commissioner must not develop statewide assessments for academic standards in social studies and the arts. The commissioner must require:

(1) annual language arts and mathematics assessments in grades 3 through 8 and at the high school level for the 2005-2006 school year and later; and

(2) annual science assessments in one grade in the grades 3 through 5 span, the grades 6 through 9 span, and the grades 10 through 12 span for the 2007-2008 school year and later.

(b) The commissioner must ensure that all statewide tests administered to elementary and secondary students measure students' academic knowledge and skills and not students' values, attitudes, and beliefs.

(c) Reporting of assessment results must:

New language is indicated by underline, deletions by ~~strikeout~~.

(1) provide timely, useful, and understandable information on the performance of individual students, schools, school districts, and the state;

(2) include, by the 2006-2007 school year, a value-added component to measure student achievement growth over time; and

(3) determine whether students have met the state's basic skills requirements.

(d) Consistent with applicable federal law and subdivision 1, paragraph (d), clause (1), the commissioner must include alternative assessments for the very few students with disabilities for whom statewide assessments are inappropriate and for students with limited English proficiency.

(e) A school, school district, and charter school must administer statewide assessments under this section, as the assessments become available, to evaluate student progress in achieving the academic standards. If a state assessment is not available, a school, school district, and charter school must determine locally if a student has met the required academic standards. A school, school district or charter school may use a student's performance on a statewide assessment as one of multiple criteria to determine grade promotion or retention. A school, school district, or charter school may use a high school student's performance on a statewide assessment as a percentage of the student's final grade in a course, or place a student's assessment score on the student's transcript.

EFFECTIVE DATE. This section is effective the day following final enactment.

Sec. 9. [120B.36] SCHOOL ACCOUNTABILITY; APPEALS PROCESS.

(a) The commissioner shall use objective criteria based on levels of student performance to identify four to six designations applicable to high and low performing public schools. The objective criteria shall include at least student academic performance, school safety, and staff characteristics, with a value-added growth component added by the 2006-2007 school year.

(b) The commissioner shall develop, annually update and post on the department web site school performance report cards. A school's designation must be clearly stated on each school performance report card.

(c) The commissioner must make available the first school designations and school performance report cards by November 2003, and during the beginning of each school year thereafter.

(d) A school or district may appeal in writing a designation under this section to the commissioner within 30 days of receiving the designation. The commissioner's decision to uphold or deny an appeal is final.

EFFECTIVE DATE. This section is effective the day following final enactment and applies to the 2005-2006 school year and later.

Sec. 10. [120B.363] CREDENTIAL FOR EDUCATION PARAPROFES- SIONALS.

New language is indicated by underline, deletions by ~~strikeout~~.

Subdivision 1. RULEMAKING. The board of teaching must adopt rules to implement a statewide credential for education paraprofessionals who assist a licensed teacher in providing student instruction. Any paraprofessional holding this credential or working in a local school district after meeting a state-approved local assessment is considered to be highly qualified under federal law. Under this subdivision, the board of teaching, in consultation with the commissioner, must adopt qualitative criteria for approving local assessments that include an evaluation of a paraprofessional's knowledge of reading, writing, and math and the paraprofessional's ability to assist in the instruction of reading, writing, and math. The commissioner must approve or disapprove local assessments using these criteria. The commissioner must make the criteria available to the public.

Subd. 2. TRAINING POSSIBILITIES. In adopting rules under subdivision 1, the board must consider including provisions that provide training in: students' characteristics; teaching and learning environment; academic instruction skills; student behavior; and ethical practices.

Subd. 3. INITIAL TRAINING. Within the first 60 days of supervising or working with students, a district must provide each paraprofessional with initial training in emergency procedures, confidentiality, vulnerability, reporting obligations, discipline policies, roles and responsibilities, and a building orientation.

EFFECTIVE DATE. This section is effective the day following final enactment.

Sec. 11. [120B.365] ASSESSMENT ADVISORY COMMITTEE.

Subdivision 1. ESTABLISHMENT. An assessment advisory committee of up to eleven members selected by the commissioner is established. The commissioner must select members as follows:

(1) two superintendents;

(2) two teachers;

(3) two higher education faculty; and

(4) up to five members of the public, consisting of parents and members of the business community.

The committee must review all statewide assessments. The committee must submit its recommendations to the commissioner and to the committees of the legislature having jurisdiction over kindergarten through grade 12 education policy and budget issues. The commissioner must consider the committees' recommendations before finalizing a statewide assessment.

Subd. 2. EXPIRATION. Notwithstanding section 15.059, subdivision 5, the committee expires on June 30, 2014.

EFFECTIVE DATE. This section is effective immediately and applies to the 2005-2006 school year and later.

New language is indicated by underline, deletions by strikeout.

Sec. 12. REPEALER.

(a) Minnesota Statutes 2002, section 120B.031, is repealed.

(b) Minnesota Rules, parts 3501.0300; 3501.0310; 3501.0320; 3501.0330; 3501.0340; 3501.0350; 3501.0370; 3501.0380; 3501.0390; 3501.0400; 3501.0410; 3501.0420; 3501.0440; 3501.0441; 3501.0442; 3501.0443; 3501.0444; 3501.0445; 3501.0446; 3501.0447; 3501.0448; 3501.0449; 3501.0450; 3501.0460; 3501.0461; 3501.0462; 3501.0463; 3501.0464; 3501.0465; 3501.0466; 3501.0467; 3501.0468; and 3501.0469, are repealed.

EFFECTIVE DATE. This section is effective for the 2003-2004 school year and thereafter.

ARTICLE 2
COMMISSIONER'S DUTIES**Section 1. MINNESOTA'S HIGH ACADEMIC STANDARDS.**

(a) The standards adopted by the commissioner of children, families and learning under Minnesota Statutes, section 120B.0021, must be identical to:

(1) the K-12 standards for language arts contained in the document labeled "Minnesota Academic Standards, Language Arts K-12, May 19, 2003, Minnesota Academic Standards Committee, Minnesota Department of Education";

(2) the K-12 standards for mathematics contained in the document labeled "Minnesota Academic Standards, Mathematics K-12, May 19, 2003, Minnesota Academic Standards Committee, Minnesota Department of Education"; and

(3) the K-12 standards for arts contained in the document labeled "Minnesota Academic Standards, Arts K-12, May 19, 2003, Minnesota Department of Education".

(b) The K-12 standards documents must be deposited with the Minnesota revisor of statutes, the legislative reference library, and the Minnesota state law library, where the documents shall be maintained until the commissioner adopts rules for implementing statewide rigorous core academic standards in language arts, mathematics and the arts under Minnesota Statutes, section 120B.021, subdivision 3. The revisor must determine that the rules are identical to the documents deposited with it under this section before the revisor approves the form of the rules. In approving the form of the rules, the revisor may make any needed grammatic and form changes.

EFFECTIVE DATE. This section is effective the day following final enactment.

Sec. 2. RECOMMENDATIONS ON HIGH ACADEMIC STANDARDS.

The commissioner of children, families, and learning, after consulting with affected stakeholders, must provide written recommendations to the committees of the

New language is indicated by underline, deletions by ~~strikeout~~.

legislature having jurisdiction over kindergarten through grade 12 education policy and budget issues by February 1, 2004, that:

(1) identify the cut-scores on high school reading and mathematics assessments indicating that remedial instruction in the state's two-year higher education institutions is unneeded;

(2) recommend alternative assessments, including student portfolios;

(3) recommend whether students must pass state end-of-course examinations as a requirement for high school graduation;

(4) evaluate the feasibility of including state percentile rankings and a national comparison; and

(5) establish a method for using the grade 8 language arts and math tests to satisfy basic skills requirements.

EFFECTIVE DATE. This section is effective the day following final enactment.

Sec. 3. RULES FOR SUPPLEMENTAL SERVICE PROVIDERS.

The commissioner of children, families, and learning may adopt rules under Minnesota Statutes, section 14.388, establishing criteria for identifying, annually reviewing, and formally listing eligible supplemental education service providers throughout Minnesota, consistent with applicable federal requirements and Minnesota's application for supplemental education service providers under Title 1, Part A, of the No Child Left Behind Act.

EFFECTIVE DATE. This section is effective the day following final enactment and applies to supplemental education service providers delivering supplemental English or math services to eligible students in the 2003-2004 school year and later.

Presented to the governor May 20, 2003

Signed by the governor May 21, 2003, 2:50 p.m.

CHAPTER 130—S.F.No. 296

An act relating to education; renaming the department of children, families, and learning to department of education; making conforming changes to reflect the department name change; amending Minnesota Statutes 2002, sections 15.01; 119A.01, subdivision 2; 119A.02, subdivisions 2, 3; 119B.011, subdivisions 8, 10; 120A.02; 120A.05, subdivisions 4, 7; 127A.05, subdivisions 1, 3; repealing Minnesota Statutes 2002, section 119A.01, subdivision 1.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

Section 1. Minnesota Statutes 2002, section 15.01, is amended to read:

15.01 DEPARTMENTS OF THE STATE.

New language is indicated by underline, deletions by strikeout.