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State of Minnesota  
HOUSE OF REPRESENTATIVES

EIGHTY-NINTH SESSION

H. F. No. 1592

03/09/2015 Authored by Bly and Slocum

The bill was read for the first time and referred to the Committee on Education Innovation Policy

1.1 A bill for an act  
1.2 relating to education; creating alternative accountability measures for certain  
1.3 schools; requesting a federal waiver; amending Minnesota Statutes 2014,  
1.4 sections 120B.11, subdivision 1a; 120B.36, subdivision 1; proposing coding for  
1.5 new law in Minnesota Statutes, chapter 120B.

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

1.7 Section 1. Minnesota Statutes 2014, section 120B.11, subdivision 1a, is amended to  
1.8 read:

1.9 Subd. 1a. **Performance measures.** Measures to determine school district and  
1.10 school site progress in striving to create the world's best workforce must include at least:

1.11 (1) student performance on the National Assessment of Education Progress where  
1.12 applicable;

1.13 (2) the size of the academic achievement gap, rigorous course taking under section  
1.14 120B.35, subdivision 3, paragraph (c), clause (2), and enrichment experiences by student  
1.15 subgroup;

1.16 (3) student performance on the Minnesota Comprehensive Assessments;

1.17 (4) high school graduation rates; ~~and~~

1.18 (5) career and college readiness under section 120B.30, subdivision 1-; and

1.19 (6) where applicable, student performance on assessments as part of the alternative  
1.20 accountability measures under section 120B.37.

1.21 Sec. 2. Minnesota Statutes 2014, section 120B.36, subdivision 1, is amended to read:

1.22 Subdivision 1. **School performance reports.** (a) The commissioner shall report  
1.23 student academic performance under section 120B.35, subdivision 2; the percentages of  
1.24 students showing low, medium, and high growth under section 120B.35, subdivision

2.1 3, paragraph (b); school safety and student engagement and connection under section  
 2.2 120B.35, subdivision 3, paragraph (d); rigorous coursework under section 120B.35,  
 2.3 subdivision 3, paragraph (c); the percentage of students under section 120B.35,  
 2.4 subdivision 3, paragraph (b), clause (2), whose progress and performance levels are  
 2.5 meeting career and college readiness benchmarks under sections 120B.30, subdivision 1,  
 2.6 and 120B.35, subdivision 3, paragraph (e); where applicable, the alternative accountability  
 2.7 measure under section 120B.37; longitudinal data on the progress of eligible districts  
 2.8 in reducing disparities in students' academic achievement and realizing racial and  
 2.9 economic integration under section 124D.861; the acquisition of English, and where  
 2.10 practicable, native language academic literacy, including oral academic language, and  
 2.11 the academic progress of English learners under section 124D.59, subdivisions 2 and  
 2.12 2a; two separate student-to-teacher ratios that clearly indicate the definition of teacher  
 2.13 consistent with sections 122A.06 and 122A.15 for purposes of determining these ratios;  
 2.14 staff characteristics excluding salaries; student enrollment demographics; district mobility;  
 2.15 and extracurricular activities. The report also must indicate a school's adequate yearly  
 2.16 progress status under applicable federal law, and must not set any designations applicable  
 2.17 to high- and low-performing schools due solely to adequate yearly progress status.

2.18 (b) The commissioner shall develop, annually update, and post on the department  
 2.19 Web site school performance reports.

2.20 (c) The commissioner must make available performance reports by the beginning  
 2.21 of each school year.

2.22 (d) A school or district may appeal its adequate yearly progress status in writing to  
 2.23 the commissioner within 30 days of receiving the notice of its status. The commissioner's  
 2.24 decision to uphold or deny an appeal is final.

2.25 (e) School performance data are nonpublic data under section 13.02, subdivision 9,  
 2.26 until the commissioner publicly releases the data. The commissioner shall annually post  
 2.27 school performance reports to the department's public Web site no later than September 1,  
 2.28 except that in years when the reports reflect new performance standards, the commissioner  
 2.29 shall post the school performance reports no later than October 1.

2.30 **Sec. 3. [120B.37] ALTERNATIVE ACCOUNTABILITY.**

2.31 **Subdivision 1. Purpose.** Because certain educational programs in the state educate  
 2.32 students who come into these programs often multiple grade levels behind, the current  
 2.33 accountability framework based around proficiency does not give a useful measure  
 2.34 of which of these programs are effectively closing the gap in educational attainment  
 2.35 and which programs are not. For these programs, a measure designed around academic

3.1 growth, career and college readiness growth, and student engagement provides a more  
3.2 meaningful measurement of the success of these programs.

3.3 Subd. 2. **Eligible schools and programs.** (a) For purposes of this section, the terms  
3.4 in this subdivision have the meanings given.

3.5 (b) "Eligible program" means:

3.6 (1) an area learning center or alternative learning program under section 123A.05; or

3.7 (2) a charter school under section 124D.10 where:

3.8 (i) at least 70 percent of enrolled pupils are eligible to participate in the graduation  
3.9 incentives program under section 124D.68; or

3.10 (ii) the charter school contract limits admission to pupils eligible to participate in  
3.11 the graduation incentives program under section 124D.68.

3.12 Subd. 3. **Accountability measures.** (a) In addition to the accountability measure  
3.13 required under this chapter, an eligible program may have an additional accountability  
3.14 measure reported based on the criteria under paragraphs (b) to (d).

3.15 (b) Thirty percent of the measure under this subdivision must be based on  
3.16 longitudinal data showing student achievement and growth on a nationally or state-normed  
3.17 assessment aligned with Minnesota's graduation standards for groups of 20 or more  
3.18 students who are continuously enrolled in the eligible program for at least 90 days before  
3.19 the assessment is administered.

3.20 (c) Forty percent of the measure under this subdivision must be based on demonstrated  
3.21 growth in any four of the following postsecondary and workforce readiness measures: a  
3.22 three-year average graduation rate for students who complete high school in four, five, or  
3.23 six years; a three-year average student drop-out rate for students who leave the eligible  
3.24 program in a single year without pursuing an education alternative; the participation rate  
3.25 and composite score of those students in a school year taking a national postsecondary  
3.26 or workforce readiness assessment such as the ACT, PSAT, SAT, ACCUPLACER, or  
3.27 ASVAB; the percentage of students in the 12th grade cohort as identified by the number  
3.28 of completed course credits at the beginning of the school year who graduate within that  
3.29 school year; the percentage of students in a school year who successfully transfer to  
3.30 another education program, including those leading to a diploma, credential, or degree, or  
3.31 care and treatment program; the percentage of students in the previous school year who  
3.32 complete an education program, receive a diploma, enroll in a postsecondary program  
3.33 or institution, enlist in the military, or obtain full-time employment; the percentage of  
3.34 students in a school year who successfully complete the number of course credits they  
3.35 need to stay on track to graduate within an established timeline; the percentage of students  
3.36 in a school year who successfully meet work certification or preapprenticeship program

4.1 requirements; or the percentage of students in a school year who earn dual enrollment  
4.2 credits through the Postsecondary Enrollment Options Act or other dual credit program.

4.3 (d) Thirty percent of the measure under this subdivision must be based on data  
4.4 from any three of the following measures applied to groups of 20 or more students  
4.5 who are continuously enrolled in the eligible program for at least 90 days: a three-year  
4.6 average daily attendance rate; a three-year average of the total number of days students are  
4.7 reported as truant; the number of student dropouts who enroll in the school and remain  
4.8 continuously enrolled throughout that school year; the percentage of students in a school  
4.9 year who participate in and demonstrate growth on character and social competency  
4.10 assessments measuring decision-making skills, career readiness, education or aspiration  
4.11 goals, and similar characteristics or competencies; and the percentage of students in a  
4.12 school year who meet the community service goals in their individual learning plan as  
4.13 measured by the eligible program's citizenship and community outcomes rubric.

4.14 Sec. 4. **FEDERAL WAIVER.**

4.15 The commissioner of education shall seek a waiver from current federal  
4.16 accountability requirements to replace the current accountability measures with the  
4.17 measure established in Minnesota Statutes, section 120B.37, subdivision 3, for eligible  
4.18 programs under that section.