

SENATE
STATE OF MINNESOTA
EIGHTY-NINTH SESSION

S.F. No. 2261

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| DATE | D-PG | OFFICIAL STATUS |
|------------|------|---|
| 03/08/2016 | 4892 | Introduction and first reading Referred to Finance |
| 03/17/2016 | 5126 | Withdrawn and re-referred to Education |
| 03/24/2016 | 5244 | Comm report: To pass and re-referred to Finance |
| | 5264 | Author added Wiklund |

1.1 A bill for an act
 1.2 relating to education; modifying the state value-added growth model; amending
 1.3 Minnesota Statutes 2014, section 120B.35, subdivisions 1, 3, by adding a
 1.4 subdivision.

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

1.6 Section 1. Minnesota Statutes 2014, section 120B.35, subdivision 1, is amended to read:

1.7 Subdivision 1. **School and student indicators of growth and achievement.**

1.8 The commissioner must develop and implement a system for measuring and reporting
 1.9 academic achievement and individual student growth, consistent with the statewide
 1.10 educational accountability and reporting system. The system components must measure
 1.11 and separately report the adequate yearly progress of schools and the past and projected
 1.12 growth of individual students: students' current achievement in schools under subdivision
 1.13 2; and individual students' educational growth over time under subdivision 3. The
 1.14 system also must include statewide measures of student academic growth that identify
 1.15 schools with high levels of growth, and also schools with low levels of growth that need
 1.16 improvement. When determining a school's effect, the data must include both statewide
 1.17 measures of student achievement and, to the extent annual tests are administered,
 1.18 indicators of achievement growth that take into account a student's prior achievement.
 1.19 Indicators of achievement and prior achievement must be based on highly reliable
 1.20 statewide or districtwide assessments. Indicators that take into account a student's prior
 1.21 achievement must not be used to disregard a school's low achievement or to exclude a
 1.22 school from a program to improve low achievement levels.

1.23 **EFFECTIVE DATE.** This section is effective July 1, 2016.

2.1 Sec. 2. Minnesota Statutes 2014, section 120B.35, subdivision 3, is amended to read:

2.2 Subd. 3. **State growth target; student growth model; other state measures.** (a)

2.3 The state's educational assessment system measuring individual students' educational
2.4 growth is based on indicators of achievement growth that show an individual student's
2.5 prior achievement. Indicators of achievement and prior achievement must be based on
2.6 highly reliable statewide or districtwide assessments.

2.7 (b) The commissioner, in consultation with a the stakeholder group that includes
2.8 assessment and evaluation directors, district staff, experts in culturally responsive teaching,
2.9 and researchers under subdivision 3a, must implement a model that uses a value-added
2.10 growth indicator and includes criteria for identifying schools and school districts that
2.11 demonstrate medium and high growth under section 120B.299, subdivisions 8 and 9, and
2.12 may recommend other value-added measures under section 120B.299, subdivision 3. The
2.13 model may be used to advance educators' professional development, improve educators'
2.14 abilities to provide differentiated instruction, enhance staff development activities under
2.15 section 122A.60, inform students' personal learning plans under section 120B.125, and
2.16 replicate programs that succeed in meeting students' diverse learning needs, among other
2.17 purposes. Data on individual teachers generated under the model are personnel data under
2.18 section 13.43. At a minimum, the model must allow users to:

2.19 (1) report student growth consistent with this paragraph; and

2.20 (2) accommodate criterion-referenced, norm-referenced, and college readiness
2.21 assessment data;

2.22 (3) include students who have missing assessment data;

2.23 (4) incorporate all prior assessments under section 120B.30 and other nationally
2.24 normed assessments across grades and subjects;

2.25 (5) as soon as practicable, incorporate all prior standardized assessment data across
2.26 grades, subjects, and assessments, including locally adopted assessments, if they meet
2.27 commissioner-developed criteria for inclusion;

2.28 (6) use, wherever possible, a multiyear average of student growth to increase the
2.29 reliability of model output;

2.30 (7) account for student and teacher mobility and shared instructional practices in
2.31 which more than one teacher is responsible for a student's learning in a particular subject;

2.32 (8) indicate the statistical precision of projected student growth; and

2.33 (9) for all student categories, report and compare aggregated and disaggregated state
2.34 growth data using the nine student categories identified under the federal 2001 No Child
2.35 Left Behind Act and two student gender categories of male and female, respectively,
2.36 following appropriate reporting practices to protect nonpublic student data.

3.1 The commissioner must report measures of student growth, consistent with this
3.2 paragraph, including the English language development, academic progress, and oral
3.3 academic development of English learners and their native language development if the
3.4 native language is used as a language of instruction.

3.5 (c) When reporting student performance under section 120B.36, subdivision 1, the
3.6 commissioner annually, beginning July 1, 2011, must report two core measures indicating
3.7 the extent to which current high school graduates are being prepared for postsecondary
3.8 academic and career opportunities:

3.9 (1) a preparation measure indicating the number and percentage of high school
3.10 graduates in the most recent school year who completed course work important to
3.11 preparing them for postsecondary academic and career opportunities, consistent with
3.12 the core academic subjects required for admission to Minnesota's public colleges and
3.13 universities as determined by the Office of Higher Education under chapter 136A; and

3.14 (2) a rigorous coursework measure indicating the number and percentage of high
3.15 school graduates in the most recent school year who successfully completed one or more
3.16 college-level advanced placement, international baccalaureate, postsecondary enrollment
3.17 options including concurrent enrollment, other rigorous courses of study under section
3.18 120B.021, subdivision 1a, or industry certification courses or programs.

3.19 When reporting the core measures under clauses (1) and (2), the commissioner must also
3.20 analyze and report separate categories of information using the nine student categories
3.21 identified under the federal 2001 No Child Left Behind Act and two student gender
3.22 categories of male and female, respectively, following appropriate reporting practices to
3.23 protect nonpublic student data.

3.24 (d) When reporting student performance under section 120B.36, subdivision 1, the
3.25 commissioner annually, beginning July 1, 2014, must report summary data on school
3.26 safety and students' engagement and connection at school. The summary data under this
3.27 paragraph are separate from and must not be used for any purpose related to measuring
3.28 or evaluating the performance of classroom teachers. The commissioner, in consultation
3.29 with qualified experts on student engagement and connection and classroom teachers,
3.30 must identify highly reliable variables that generate summary data under this paragraph.
3.31 The summary data may be used at school, district, and state levels only. Any data on
3.32 individuals received, collected, or created that are used to generate the summary data
3.33 under this paragraph are nonpublic data under section 13.02, subdivision 9.

3.34 (e) For purposes of statewide educational accountability, the commissioner must
3.35 identify and report measures that demonstrate the success of learning year program
3.36 providers under sections 123A.05 and 124D.68, among other such providers, in improving

4.1 students' graduation outcomes. The commissioner, beginning July 1, 2015, must annually
4.2 report summary data on:

4.3 (1) the four- and six-year graduation rates of students under this paragraph;

4.4 (2) the percent of students under this paragraph whose progress and performance
4.5 levels are meeting career and college readiness benchmarks under section 120B.30,
4.6 subdivision 1; and

4.7 (3) the success that learning year program providers experience in:

4.8 (i) identifying at-risk and off-track student populations by grade;

4.9 (ii) providing successful prevention and intervention strategies for at-risk students;

4.10 (iii) providing successful recuperative and recovery or reenrollment strategies for
4.11 off-track students; and

4.12 (iv) improving the graduation outcomes of at-risk and off-track students.

4.13 The commissioner may include in the annual report summary data on other education
4.14 providers serving a majority of students eligible to participate in a learning year program.

4.15 (f) The commissioner, in consultation with recognized experts with knowledge and
4.16 experience in assessing the language proficiency and academic performance of English
4.17 learners, must identify and report appropriate and effective measures to improve current
4.18 categories of language difficulty and assessments, and monitor and report data on students'
4.19 English proficiency levels, program placement, and academic language development,
4.20 including oral academic language.

4.21 (g) By August 1, 2017, the commissioner must provide Web-based reporting of
4.22 the growth model output under paragraph (b) to all teachers at the state, district, and
4.23 school levels with role-based permissions that allow teachers and other authorized users to
4.24 access information about the academic achievement, past growth, and projected growth
4.25 of students within their immediate responsibility, consistent with applicable state and
4.26 federal data privacy law.

4.27 **EFFECTIVE DATE.** This section is effective July 1, 2016.

4.28 Sec. 3. Minnesota Statutes 2014, section 120B.35, is amended by adding a subdivision
4.29 to read:

4.30 **Subd. 3a. Student growth data stakeholder group.** (a) When state student growth
4.31 data indicators or models are created or modified, the commissioner shall seek input on
4.32 value-added growth indicators and other value-added measures from a stakeholder group
4.33 that includes:

4.34 (1) assessment and evaluation directors;

4.35 (2) school district staff;

5.1 (3) experts in culturally responsive teaching; and

5.2 (4) researchers.

5.3 (b) An individual is prohibited from serving as a member of the stakeholder group if
5.4 the individual or an immediate family member is a full or part owner or principal with a
5.5 for-profit or nonprofit entity or independent contractor that provides professional services
5.6 or goods related to student assessments.

5.7 **EFFECTIVE DATE.** This section is effective July 1, 2016.