

CHAPTER 3501
DEPARTMENT OF CHILDREN, FAMILIES, AND
LEARNING
GRADUATION STANDARDS

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READING AND MATHEMATICS

3501.0010 PURPOSE.

The purpose of parts 3501.0010 to 3501.0180 is to establish statewide standards that define what a Minnesota public high school graduate should know and be able to do to function effectively as a purposeful thinker, effective communicator, self-directed learner, productive group participant, and responsible citizen.

Statutory Authority: *MS s 121.11*

History: *20 SR 2375*

3501.0020 SCOPE.

Parts 3501.0010 to 3501.0180 govern the graduation standards that Minnesota public schools must require for a high school diploma for all students who enter ninth grade in 1996 or a subsequent year.

Statutory Authority: *MS s 121.11*

History: *20 SR 2375*

3501.0030 DEFINITIONS.

Subpart 1. **Scope.** The terms used in parts 3501.0010 to 3501.0180 have the meanings given them in this part.

Subp. 2. **Accommodation.** "Accommodation" means an adjustment in a testing condition, such as the setting for or scheduling of the test, or a change in the method of administering a test. An accommodation does not compromise the security or the confidentiality of the test, does not alter the meaning of the score, or render the student's score incomparable to the scores of those students who took the test under standard conditions. Among accommodations is providing a student with the same test in a large-print version.

Subp. 3. **Degrees of Reading Power Index of Readability or DRP.** The "Degrees of Reading Power Index of Readability" or "DRP" means the Degrees of Reading Power Index of Readability described in the DRP Teacher's Manual: Primary and Standard Test Forms

issued by Touchstone Applied Science Associates (TASA), Inc. (Brewster, New York, 1989). This document is incorporated by reference and is available through the Minitex interlibrary loan system. This index is not subject to frequent change.

Subp. 4. **Department.** "Department" means the Department of Children, Families, and Learning.

Subp. 5. **District.** "District" means a school district.

Subp. 6. **Exemption.** "Exemption" means a temporary or permanent waiver of the requirement that a student take a test in the basic requirements.

Subp. 7. **Individualized education plan or IEP.** "Individualized education plan" or "IEP" means a written statement developed for a student eligible for special education and services pursuant to Minnesota Statutes, section 120.17, and Public Law Number 101-476, the Individuals with Disabilities Education Act.

Subp. 8. **Locally adopted tests.** "Locally adopted tests" means a test of a basic requirement that is written according to the specifications for the state test and adopted by a school district as the local test of the basic requirement.

Subp. 9. **Modification.** "Modification" means an adjustment of a test that results in changing the standard for a particular student. Among adjustments are: a modification of only part of a test, a change in test questions, and a change in the performance standard.

Subp. 10. **Parent.** "Parent" means, for a student under age 18, the mother, father, guardian, person acting as the parent of the child, conservator, or surrogate parent who has been appointed in accordance with parts 3525.2435 to 3525.2455. For a pupil age 18 or over, parent or parents also includes the pupil unless a guardian or conservator has been appointed, in which case it means the guardian or conservator. When the parents are separated or divorced, it means the parent who has the legal right, by court decree or agreement, to determine the pupil's education, even though the pupil may be living with the other parent.

Subp. 11. **Public schools.** "Public schools" means all public schools as defined in Minnesota Statutes, section 120.05, and includes, but is not limited to, public school districts, charter schools, the state academies for the deaf and the blind, and the Center for Arts Education.

Subp. 12. **Section 504 accommodation plan.** "Section 504 accommodation plan" means the defined appropriate accommodations or modifications that must be made in the school environment to address the needs of an individual student with disabilities. This section of the federal Rehabilitation Act of 1973, Public Law Number 91-230 as amended in Public Law Number 101-476, extends protection to a much broader student population than just those students with IEPs.

Subp. 13. **State test.** "State test" means a test of a basic requirement that has been developed using the specifications created for a statewide standard in reading or mathematics. The test shall be designated by the department as the official state test which serves as the basis for validating all other testing options.

Subp. 14. **Statewide standards.** "Statewide standards" means statements of what a student should know and be able to do. Statewide standards are concerned with the knowledge that a student should acquire, the concepts and processes a student should master, and the minimum level of competency a student should develop in the course of the student's prekindergarten through grade 12 experience.

Subp. 15. **Student.** "Student" means a person admitted to a public school as defined in Minnesota Statutes, section 120.05, in accordance with Minnesota Statutes, section 120.06.

Subp. 16. **Test specifications.** "Test specifications" means statements of the basic requirements that tests must include and how tests are designed. The specifications define the required content, format, level of difficulty, types of items, and length of the tests.

Statutory Authority: *MS s 121.11*

History: *20 SR 2375*

3501.0040 STATEWIDE GRADUATION STANDARDS.

Subpart 1. **Basic requirements.** The basic requirements for mathematics and reading are established in this chapter. The statewide standards for mathematics are specified in subpart 2 and the statewide standards for reading are specified in subpart 3.

To qualify for a high school diploma, a student shall demonstrate competency in the statewide standards for mathematics and reading through one of the testing options in this chapter except for decisions consistent with parts 3501.0090 and 3501.0100. School districts may require higher standards in mathematics and reading than the statewide standards.

Subp. 2. Statewide standard in mathematics. To meet the basic requirement in mathematics, a student shall demonstrate the ability to solve mathematical problems derived from situations commonly encountered in adult life. Among common situations is the estimation of distance traveled when the elapsed time and average rate are known.

Subp. 3. Statewide standard in reading. To meet the basic requirement in reading, a student shall demonstrate the ability to read and comprehend English passages representative of widely circulated material commonly encountered in adult life. Among widely circulated material is a newspaper feature article.

Statutory Authority: *MS s 121.11*

History: *20 SR 2375*

3501.0050 TESTING FOR STATEWIDE STANDARDS IN BASIC REQUIREMENTS.

Subpart 1. School district testing options. A school district shall test for competency in the statewide standards in basic requirements by using:

- A. a state test;
- B. one of the state-approved nationally normed, commercially published tests; or
- C. a local test.

The district shall use one particular form of a test no more frequently than once in three school years for the same group of students.

Subp. 2. Offering tests in basic requirements. A district shall not offer the test of a basic requirement before grade 8 but shall offer it no later than grade 10. Once a test has first been offered to a group of students, the district shall continue to offer a test of that basic requirement to that group of students at least once a year.

Subp. 3. Additional testing opportunities. A district shall establish a process for additional testing of students, who by April 1 of their anticipated graduation year have not passed one or more of the basic requirement tests.

The process shall include:

- A. how a parent, student, or both can request:
 - (1) an additional opportunity to take basic requirement tests; and
 - (2) testing accommodations;
- B. the procedure that a district shall use to act on a request in item A; and
- C. how a parent, student, or both can appeal the district's action under item B.

In addition to the regularly scheduled annual availability of the state tests, the state tests shall also be made available by the department at a district's request for one additional retesting of seniors.

Subp. 4. Transfer students. A student transferring into a district shall not be required to take a test of a basic requirement if the student's former school record verifies that the student has already passed a test of that basic requirement consistent with this part. This subpart applies even if the student transfers into a district that has higher standards than the statewide standard in the basic requirement.

Statutory Authority: *MS s 121.11*

History: *20 SR 2375*

3501.0060 STATE TEST OPTION.

Subpart 1. District use of state test.

A. The department shall establish and maintain state tests in the basic requirements.

B. When a district uses a state test, it shall:

(1) accept as final and conclusive the department's determination on the content of the test, the scoring of the answers, and the determination of the minimum passing score; a district may use other test options on subsequent testing occasions;

- (2) administer the state test according to the standard conditions for administration that shall be provided to the district with each state test of basic requirements;
- (3) return the administered state test to the state for scoring; and
- (4) adopt a passing score no lower than the passing score given in part 3501.0180 for that basic requirement test.

Subp. 2. **Specifications for state test of mathematics.** The state test of mathematics shall assess the statewide standard in mathematics by including the topics described in items A to H:

- A. problems involving whole numbers, fractions, decimals, and integers; for example, finding the change from a \$20 bill after purchasing two items of known cost;
- B. problems involving percents, rate, ratios, and proportions; for example, determining which size of a grocery item represents the best buy;
- C. problems using concepts of number sense, place value, and number relationships to compare, order, and determine equivalence of whole numbers, fractions, decimals, percents, and integers; for example, determining which of two numbers is larger if one is in fraction form and one in decimal form;
- D. problems using estimation; for example, estimating the approximate distance traveled when the elapsed time and average rate are known;
- E. problems applying measurement concepts; for example, using a ruler to determine the length of the side of a figure;
- F. problems in reading, interpreting, and using one- and two-dimensional graphic forms to analyze data, identify patterns, and make predictions; for example, using a table to determine in which month a show had the highest attendance;
- G. problems using elementary concepts of probability and statistics; for example, finding the average of five bowling scores; and
- H. problems applying geometric and spatial relationships; for example, finding the total number of boxes stacked in a display.

A student shall be permitted to use a calculator on the state test of mathematics.

Subp. 3. **Specifications for state test of reading.** The state test shall assess the statewide standard in reading. The test shall be written according to items A to D.

- A. Test questions shall test reading comprehension as an integrated skill, with no testing of subskills or strategies.
- B. The test shall be composed of passages of English nonfiction prose that are either narrative or expository.
- C. Passages shall be selected from published readings commonly used by adults as sources of information.
- D. Passages shall have a level of difficulty measured by the Degrees of Reading Power Index of Readability. The total test shall have an average difficulty of at least 64 DRP units.

Statutory Authority: *MS s 121.11*

History: *20 SR 2375*

3501.0070 NATIONALLY NORMED, COMMERCIALY PUBLISHED TEST OPTION.

- A. A district may choose a test from the nationally normed, commercially published tests that have been reviewed and approved by the department according to the criteria in item D. The department shall publish the list of approved tests annually by August 1.
- B. A district shall set the passing score on the selected nationally normed, commercially published test to be comparable to the state set passing score on the state test in the same basic requirement as follows:

(1) the first time the commercially published test is given to students, the state test in the same basic requirement shall also be given within the same school year to the same students;

(2) the state test shall be scored by the state;

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(3) the statistical correlation of scores of students in that district who have taken both tests shall be no less than .70;

(4) the passing score of the commercially published test shall be set at the point at which the percent of the students who pass the commercially published test is the same as or less than the percent of students who have passed the state test;

(5) if the state or the commercially published test changes, a district shall repeat the steps in subitems (1) to (4) the next time the commercially published test is administered to a new group of students; and

(6) at a district's request, the department shall assist a district with less than 200 scores at a grade level with the statistical analysis required in subitem (3) by combining those scores with similar sets of scores from other districts to create a large enough number of scores to analyze.

C. A district may choose to recognize as passing a score at or above the 75th national percentile on any of the nationally normed, commercially published tests on the state-approved list.

D. The following criteria shall be used by the state to review and approve nationally normed, commercially published tests in mathematics or reading:

(1) 75 percent of the specifications for the state test in mathematics under part 3501.0060, subpart 2, are met by the commercially published mathematics test or 75 percent of the test items on the commercially published reading test meet the specifications for the state test in reading under part 3501.0060, subpart 3, items A and B;

(2) the publisher's stated intention for the instrument conforms with the district's use of the instrument;

(3) there is published evidence of instrument reliability of at least .80 or higher;

(4) there is published evidence for the commercially published test of instrument validity that cites research and development processes that support or contribute to construct validity;

(5) there is published evidence of norming data and procedures to show that the norming population was appropriate for the type of students taking the test; and

(6) there is a current technical report or manual on development of the testing instrument, the uses of the instrument, and analyses of instrument data.

Statutory Authority: *MS s 121.11*

History: *20 SR 2375*

3501.0080 LOCAL TEST OPTION.

Subpart 1. **Adoption of local test.** A district may adopt its own test for the statewide standards in the basic requirements providing that the conditions in subpart 2 are met.

Subp. 2. **Local test.** The local test must measure the standards for mathematics and reading as specified in part 3501.0040, subparts 2 and 3, respectively.

A. The test must be written according to state test specifications for the content and level of difficulty of the test items in mathematics and reading specified in part 3501.0060, subparts 2 and 3, respectively.

(1) The state test specifications for local tests of mathematics shall include those specified in part 3501.0060, subpart 2, and the following:

(a) the total test shall contain at least 40 items;

(b) test items shall represent applications to realistic situations;

(c) tests may be multiple choice or may require students to supply answers;

(d) incorrect options on multiple choice items shall reflect plausible errors in concept or procedures, represented by the problem; and

(e) the use of a calculator by the student may be permitted.

(2) The state test specifications for local tests of reading include those specified in part 3501.0060, subpart 3, and the following:

- (a) each passage shall contain at least 500 words;
- (b) each passage shall represent a difficulty level of at least 60 DRP units;
- (c) each test shall contain at least four reading passages and no fewer than 40 questions;
- (d) narrative passages shall not compose more than 25 percent of the passages in each test;
- (e) at least 60 percent of the test questions shall require a student to show knowledge of material that is explicitly stated in the test. This category shall include questions on main ideas, supporting ideas, and may include meanings of words from context. At least 30 percent of the test questions shall require students to draw understanding that is not explicitly stated in the text, but must be inferred by the reader. This category may include identifying the author's perspective, drawing conclusions, or distinguishing between facts and opinions; and
- (f) the questions and answers options must be phrased in words different from those of the reading passage.

B. The passing score on the local test is determined through the process established in subitems (1) to (4) for determining a score comparable to the passing score on the state test in the same basic requirement. The district shall set the passing score on the local test as follows:

- (1) the first time the local test is given to students, the state test in the same basic requirement shall also be given in the same school year to the same students;
- (2) the state test shall be scored by the state;
- (3) the statistical correlation of scores of students in that district who have taken both tests shall be no less than .70;
- (4) the passing score of the local test shall be set at the point at which the percent of students who pass the local test is the same as or less than the percent of students who have passed the state test; and
- (5) if the state test changes or if a district changes its local test, a district shall repeat the steps in subitems (1) to (4), at the next time the local test is administered to a new group of students.

Subp. 3. **Level of knowledge.** The district may require more knowledge, a higher level of difficulty, or both, than the state test specifications if the district has established graduation standards that are higher than the statewide graduation standards.

Statutory Authority: *MS s 121.11*

History: *20 SR 2375*

3501.0090 STUDENTS WITH INDIVIDUALIZED EDUCATION PLANS OR SECTION 504 ACCOMMODATION PLANS.

Subpart 1. **Considerations for students with IEPs or section 504 accommodation plans.**

A. The IEP or section 504 accommodation plan for a student with a disability shall identify one of the following decisions for each of the basic requirements:

- (1) the student is expected to achieve the statewide standard with or without testing accommodations;
- (2) the student is expected to achieve the statewide standard at an individually modified level of difficulty; or
- (3) the student is exempt from the statewide standard.

An exemption from the statewide standard shall be granted to a special needs student when the student cannot demonstrate the required degree of learning with appropriate accommodations or modifications if:

- (a) the student's IEP or section 504 accommodation plan does not and never has included the requirements on which the tests are based; or
- (b) the student is enrolled in special education classes for the subject matter included in the test, but the student's IEP or section 504 accommodation plan does not include a majority of concepts tested.

B. Adoption of modifications or exemptions for a student as stated in item A, shall occur concurrently with the adoption of transition goals and objectives as required in Minnesota Statutes, section 120.17, subdivision 3a, clause (1).

Subp. 2. Testing students with IEPs or section 504 accommodation plans.

A. All students shall be tested under standard conditions as specified by the developer of the test except those students whose IEPs specify other decisions consistent with subpart 1, item A.

B. Decisions regarding appropriate testing conditions including a decision to provide accommodations for a student with special needs shall be made by the local school district through the IEP process or the section 504 accommodation plan process and shall be reviewed annually.

C. Where subpart 1, item A, subitem (2), applies, the student's IEP or section 504 accommodation plan shall define an appropriate assessment of the statewide standard at a modified level of difficulty. Achievement of the individually modified standard shall be certified only through documented student performance of the defined assessment.

Statutory Authority: *MS s 121.11*

History: *20 SR 2375*

3501.0100 TESTING CONSIDERATIONS FOR LIMITED ENGLISH PROFICIENT (LEP) STUDENTS.

Subpart 1. **Scope.** This part applies to individuals whose first language is not English and whose test performance may be negatively impacted by lack of English language proficiency.

Subp. 2. **District process.** Each district shall establish a process for determining whether individual students whose first language is not English shall take basic requirements tests under standard test conditions, with language accommodations, with language translation of the mathematics test, or be temporarily exempted from testing. Parents of LEP students, teachers of LEP students, and district personnel responsible for testing shall be involved in establishing this process.

Subp. 3. **Temporary exemption.** A student may be temporarily exempted from participation in testing if the student has been enrolled for three or fewer years in a school in which the primary language of instruction is English. If the student is temporarily exempted, the exemption shall be reviewed annually according to the process in subpart 2.

Subp. 4. **Test of reading.** Language accommodations and language translations to basic requirements tests shall not be applied to the testing of reading. Students shall demonstrate English language competence in the testing of reading.

Subp. 5. **Language translations.** A district may translate the mathematics test into a language other than English.

Subp. 6. **Learning opportunities.** Part 3501.0110 applies to students granted considerations under this part.

Statutory Authority: *MS s 121.11*

History: *20 SR 2375*

3501.0110 OPPORTUNITIES TO LEARN AND REMEDIATION.

A school district's curriculum shall include opportunities for all students to learn the basic requirements. At least two years before the anticipated date of the student's graduation, the district shall develop a plan for remediation for students who have not passed one or more basic requirements tests except for exempt students under part 3501.0090, subpart 1, item A, subitem (3).

Statutory Authority: *MS s 121.11*

History: *20 SR 2375*

3501.0120 REQUIRED NOTIFICATION TO PARENTS AND STUDENTS.

Subpart 1. **Written notice.** A school district shall establish and maintain a system to provide written notice to parents and students about graduation requirements.

Subp. 2. **Notice of graduation requirements.** No later than 30 working days after the date of the entrance into the 9th grade or transfer of a student into the district during or after 9th grade, the school district shall provide to the parents and the student written notice of:

A. the graduation requirements; and

B. the grade in which the student shall have the first opportunity to take a test in basic requirements.

Subp. 3. **Notice of test results and remediation opportunities.** The school district shall provide no later than 90 days after a student takes a test of basic requirements, written notice to parents and the student of:

A. basic requirement test results; and

B. consistent with part 3501.0050, subpart 3, if the student is in the graduating year:

(1) the process by which a parent or student can request additional testing and testing accommodations after April 1; and

(2) how a parent or student can appeal the district's decision in subitem (1).

Statutory Authority: *MS s 121.11*

History: *20 SR 2375*

3501.0130 STUDENT RECORDKEEPING.

Subpart 1. **Test results.** The district shall keep a record on each student that includes:

A. the basic requirement tests taken; and

B. the results of the most recent basic requirement tests given.

Subp. 2. **Student progress.** Individual student progress shall be reported on a student record as described in items A to D.

A. "Pass--state level" shall be noted on the record of a student who passes a basic requirement test under standard conditions or with an accommodation. The records for students passing with an accommodation shall not be different from the records of students passing the test under standard conditions.

B. "Pass--individual level" shall be noted on the record of a student who passes a basic requirement test with a modification established in the IEP or section 504 accommodation plan in accordance with part 3501.0090.

C. "Pass--translation" shall be noted on the record of a student who passes a basic requirement test that has been translated into a language other than English and has not been validated by the state as a state test with a set passing score.

D. "Exempt" shall be noted on the record of a student who has been exempted from a basic requirement test.

Statutory Authority: *MS s 121.11*

History: *20 SR 2375*

3501.0140 TEST ADMINISTRATION.

Subpart 1. **Testing conditions.** The school district shall administer the test that the district chooses from the options given in part 3501.0060 for testing a basic requirement under standard testing conditions defined by the developer of the particular test using the directions provided with the test. Test administration with accommodations or modifications to standard testing conditions shall occur only in accordance with part 3501.0090 or 3501.0050, subpart 3.

Subp. 2. **District testing plan.** The district board shall annually adopt and publish a basic requirement test administration plan. The plan shall be filed with the department and delivered to all households in the district by October 15 of each year. At a minimum, the plan shall include:

A. the graduation requirements;

B. the test options that the district chooses to use to test the basic requirements;

C. in what grade the test of a basic requirement shall first be offered;

D. how many opportunities a student shall have to retake tests of basic requirements during each year;

E. the opportunities for remediation for a student who has not passed tests of the basic requirements;

F. the process used by the district for reviewing the test items of a local test in a basic requirement to determine that the material does not offend or disadvantage any particular group;

G. the process for requesting an additional testing opportunity and accommodations for a senior who has met all other graduation requirements but has not passed one or more basic requirements;

H. the process for appealing the district's response to requests in item G; and

I. how to report breaches in test security procedures to the district and the department.

Statutory Authority: *MS s 121.11*

History: *20 SR 2375*

3501.0150 TEST SECURITY.

Subpart 1. **Security requirements.** When administering tests for the basic requirements, the district shall observe the following test security measures:

A. all test booklets, answer sheets, and test materials shall be placed in locked storage before and after the test administration;

B. the tests, testing materials, and answer sheets are nonpublic data under Minnesota Statutes, section 13.34;

C. no copies of test booklets or answer sheets shall be made; and

D. school districts shall report any known violations of test security to the department. The department shall receive reports of violations of test security from anyone with knowledge of such an incident.

Subp. 2. **Security violations.** The department shall investigate any reported incidents of breaches in test security. The consequences of a violation in test security may include:

A. the invalidation of test scores if a violation is found to justify serious questions about the integrity of the results of the test administration; or

B. other reasonable sanctions that are necessary to preserve the security and confidentiality of future tests and test administrations.

Statutory Authority: *MS s 121.11*

History: *20 SR 2375*

3501.0160 DISTRICT REPORTING REQUIREMENTS.

A. The district shall report the information in item C to the department annually by October 15 in a format to be determined by the department.

B. The district shall prepare and disseminate annually by October 15 a public report of the information in item C, through the newspaper officially designated for school district notices or through publication sent to all households in the district.

C. The reports required in items A and B shall include:

(1) the number of students enrolled at each grade level 9 through 12 according to the end of the year Minnesota Automated Reporting Student System (MARSS) report;

(2) the number of students at each grade level 9 through 12 passing each basic requirement at the state standard level;

(3) the number of students at each grade level 9 through 12 passing each basic requirement at an individualized level under an IEP and a section 504 accommodation plan;

(4) the number of students at each grade level 9 through 12 passing tests in each basic requirement that has been translated into a language other than English;

(5) the number of students at each grade level 9 through 12 exempt from testing in each basic requirement; and

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(6) for grade 12 of the previous year only, the number of students currently denied a high school diploma because of not passing the state standard for a basic requirement when all other graduation requirements have been met.

Statutory Authority: *MS s 121.11*

History: *20 SR 2375*

3501.0170 REQUIRED DOCUMENTATION FOR PROGRAM AUDIT.

The school district shall maintain records necessary for program audits conducted by the department. The records must include documentation that:

A. tests used for the basic requirements comply with parts 3501.0060 to 3501.0080;

B. the process that the district used to set the passing scores on approved commercially published tests or local tests meets the requirements of parts 3501.0070 and 3501.0080, respectively;

C. required notifications to parents and students meet the requirements of part 3501.0120;

D. required student records meet the requirements of part 3501.0130;

E. the district's process for additional testing of students meets the requirements of part 3501.0050;

F. test security procedures comply with part 3501.0150;

G. local district decisions regarding testing accommodations, modifications, and granting exemptions are in compliance with parts 3501.0090 and 3501.0100;

H. the school district's curriculum and instruction provides appropriate learning opportunities in the basic requirements in compliance with part 3501.0110;

I. remediation plans for students are on file consistent with part 3501.0110;

J. the basic requirement test administration plan complies with part 3501.0140, subpart 2;

K. the documentation for students granted accommodations or exempted from testing complies with part 3501.0090;

L. the assessments and documentation of performance for students granted modifications of statewide standards comply with part 3501.0090, subpart 2, item C; and

M. the district's process for testing considerations for LEP students complies with part 3501.0100.

Statutory Authority: *MS s 121.11*

History: *20 SR 2375*

3501.0180 PASSING SCORES FOR STATE TESTS OF BASIC REQUIREMENTS.

Subpart 1. **Setting scores.** The scores in this part are established for each grade 9 class beginning with the class entering in 1996. Once set, the basic requirements passing scores shall not change for a particular group of entering grade 9 students.

Subp. 2. **Mathematics.** The passing score for the state test of mathematics is 70 percent for students entering grade 9 in 1996; is 75 percent for students entering grade 9 in 1997; and is 80 percent for students entering grade 9 in 1998 and thereafter.

Subp. 3. **Reading.** The passing score for the state test of reading is 70 percent for students entering grade 9 in 1996; is 75 percent for students entering grade 9 in 1997; and is 80 percent for students entering grade 9 in 1998 and thereafter.

Statutory Authority: *MS s 121.11*

History: *20 SR 2375*

WRITTEN COMPOSITION

3501.0200 PURPOSE.

The purpose of parts 3501.0200 to 3501.0290 is to establish a statewide standard that describes what a Minnesota public high school student must demonstrate in written composition to be eligible for a high school diploma.

Statutory Authority: *MS s 121.11*

History: *21 SR 1106*

3501.0210 SCOPE.

Parts 3501.0200 to 3501.0290 govern the written composition standard for a high school diploma that Minnesota public schools must require of all students who enter ninth grade in 1997 or a subsequent year.

Statutory Authority: *MS s 121.11*

History: *21 SR 1106*

3501.0220 DEFINITIONS.

Subpart 1. **Scope.** For the purposes of parts 3501.0200 to 3501.0290, the terms defined in part 3501.0030 have the same meaning unless otherwise clearly indicated.

Subp. 2. **Definitions for basic requirement in written composition testing.** For the purposes of parts 3501.0200 to 3501.0290, the following terms have the meanings given them.

A. "Prompt" means a statement of a writing task for which the student is to create a written composition for a specified adult reader.

B. "Scoring criteria" means the five writing characteristics in part 3501.0230, subpart 2, to be used by trained raters in determining to what degree a written response to a prompt does or does not meet the statewide standard for written composition.

C. "Written composition" or "composition" means the composite acts of formulating and preparing, in English, a clearly focused, organized, developed, coherent, and clearly expressed message to be communicated to an adult reader in a written format.

Statutory Authority: *MS s 121.11*

History: *21 SR 1106*

3501.0230 STATEWIDE GRADUATION STANDARD FOR WRITTEN COMPOSITION.

Subpart 1. **Basic requirements.** The basic graduation requirement for written composition is established in parts 3501.0210 to 3501.0290. The statewide standard for written composition is specified in subpart 2.

Except for decisions consistent with parts 3501.0090 and 3501.0100, to qualify for a high school diploma, a student shall demonstrate competency in the statewide standard for written composition through one of the testing options in part 3501.0250, subpart 1. Districts may require higher standards, additional demonstrations, or both of competency in written composition beyond the statewide standards.

Subp. 2. **Statewide standard in written composition.** A student shall demonstrate the ability to create, in English, a written composition. An adequate written composition must show:

A. clarity of central ideas such that the composition responds directly and specifically to the task presented in the prompt;

B. coherent focus such that the supporting ideas expressed in the composition relate clearly to the central idea and that there is a clear connection among ideas. Coherent focus may be accomplished through transitions, parallel structure, or other unifying devices;

C. organization such that the ideas are expressed in an order which is logical and clear and the composition contains a beginning, middle, and end. The student may choose one of a variety of organizational strategies such as cause/effect, problem/solution, chronological sequence, topical order, or spatial organization;

D. detailed support or elaboration of ideas. The composition must include any or all of the following: information; verbal illustrations; explanations; and examples, which sufficiently clarify and expand the student's central idea for the reader. These details must be logically connected to the central idea; and

E. language conventions such that the composition includes features of language that are acceptable in standard written discourse. Language conventions are important to ensure that the meaning of the written composition is not impaired. The writer shall apply rules of sentence formation, language choice and order, and language mechanics including punctuation, capitalization, and spelling, of standard written English.

Subp. 3. **Scoring.** When scoring written compositions, there shall be a no minimum length requirement. Ratings shall be based on the overall quality of the written response relative to the scoring criteria. The general guidelines for score scale points in part 3501.0240 shall be used to evaluate adequate demonstration of the characteristics in subpart 2.

Handwriting must be decipherable. While students should be encouraged to write as neatly as they can, there shall be no penalty for poor handwriting, except that only compositions that are legible shall be scored.

Statutory Authority: *MS s 121.11*

History: *21 SR 1106*

3501.0240 GENERAL GUIDELINES FOR SCORE SCALE POINTS.

Subpart 1. **Scoring criteria.** Trained raters shall apply the scoring criteria under part 3501.0230, subpart 2, for the basic requirement in written composition to assign score scale points according to subparts 2 to 6.

Subp. 2. **Four-point rating.** A more than adequate student response in composition shall receive four points. A student response is more than adequate if the composition:

- A. is related to the prompt;
- B. has a central idea that is clearly expressed;
- C. is well developed with supporting details;
- D. has a beginning, middle, and end; and
- E. demonstrates excellent control of the language that enhances the overall quality of the response.

Subp. 3. **Three-point rating.** An adequate student response in composition shall receive three points. A student response is adequate if the composition:

- A. is related to the prompt;
- B. has a central idea that is clearly expressed;
- C. is developed with supporting details but may present minor obstacles to the reader in moving from one idea to another;
- D. has a beginning, middle, and end; and
- E. demonstrates adequate control of the language in that the composition may have minor errors in sentence formation, usage, or mechanics, but these do not substantially detract from the overall quality of the composition.

Subp. 4. **Two-point rating.** A less than adequate student response in composition shall receive two points. A student response is less than adequate if the composition:

- A. is related to the prompt; but
- B. is not well focused;
- C. presents obstacles to the reader in moving from idea to idea;
- D. lacks a beginning, middle, or end; or
- E. contains errors in sentence formation, word usage, and mechanics that are frequent enough to detract from the overall quality of the composition.

Subp. 5. **One-point rating.** A very inadequate student response shall receive one point. A student response is very inadequate if the composition:

- A. is related to the prompt; but
- B. lacks a central idea or coherent focus;

- C. is difficult to follow;
- D. is not clearly organized; or
- E. contains errors in sentence formation, word usage, and mechanics that are frequent enough to detract from the overall quality of the composition.

Subp. 6. **Not scorable (N).** A student response that cannot be evaluated shall receive an N. A student response shall be designated not scorable when a rater and the scoring leader agree that the composition:

- A. is not related to the prompt;
- B. is not readable because it is illegible or incoherent;
- C. is written in a language other than English;
- D. contains an insufficient amount of writing to evaluate; or
- E. is blank in that no response is given.

Statutory Authority: *MS s 121.11*

History: *21 SR 1106*

3501.0250 TESTING FOR STATEWIDE STANDARDS IN THE BASIC REQUIREMENT OF WRITTEN COMPOSITION.

Subpart 1. **District testing options.** A school district shall test for competency in the statewide standard in the basic requirement of written composition by using:

- A. a state test; or
- B. an alternative test approved by the state according to the criteria in part 3501.0260.

Subp. 2. **Offering tests in basic requirements.** A district shall first offer a test of the basic requirement in written composition to students in grade 10. Nonpassing students shall be given the opportunity to retake a test of the basic requirement in written composition at least annually.

Subp. 3. **Additional testing opportunities.** A district shall establish a process for additional testing of students who by April 1 of their anticipated graduation year have not passed a test in the basic requirement in written composition.

The process shall include:

- A. how the parent, student, or both can request:
 - (1) an additional testing opportunity to take the basic requirement in written composition test; and
 - (2) testing accommodations;
- B. the procedure that the district shall use to act on a request in item A; and
- C. how a parent, student, or both can appeal the district's action under item B.

In addition to the regularly scheduled annual availability of a new form of the state test, an additional statewide administration of the state test shall be made available by the department for one additional retesting of seniors.

Subp. 4. **Transfer students.** A student transferring into a district shall not be required to take a test of the basic requirement for written composition if the student's record from the former school verifies that the student has already passed a test of that basic requirement consistent with this part. This subpart applies even if the student transfers into a district that has higher standards than the statewide standard for the basic requirement in written composition.

Subp. 5. **Specifications for state test in written composition.** The state test shall assess the statewide standard for the basic requirement in written composition. The state test shall be written, administered, and scored according to subparts 6 to 8.

Subp. 6. **Test contents.** The state test shall require a student to compose a single composition in response to one prompt. The prompt shall:

- A. require no prior preparation for response;
- B. indicate that the response should be written for a specific adult reader;
- C. accommodate a variety of writing strategies and instruction;

D. contain a topic that is unknown to students, their parents, teachers, or test proctors before the actual testing session; and

E. elicit demonstration of the general scoring criteria of the statewide standard for the basic requirement in written composition.

Subp. 7. Test administration. The state test shall be administered according to standard conditions for administration that shall be provided to the district with the test.

A. The state test shall be untimed but must be completed in an unbroken block of time. Once the student is excused for lunch, another class, activity, or to go home, the testing session has been concluded.

B. The state test shall require that the student's response be written directly in the test booklets without the use of word processors or writing tools other than pencils and pens, except when the district determines that a student has a physical condition that prevents the student writing by hand or as provided for under part 3501.0090.

C. A student shall not use a dictionary, thesaurus, or other published or prepared reference or preparation material of any type during testing.

Subp. 8. Test scoring. Tests shall be scored independently by members of a state-approved, trained scoring panel using the scoring criteria and the scoring process specified by the state. The state scoring process for the test of the basic requirement in written composition shall be according to items A to E.

A. The state shall contract with an independent vendor chosen for its experience and reliability in training and conducting the scoring of tests of written composition.

B. The contracted vendor shall train each rater on the prompt to be scored and each rater shall satisfactorily complete a qualifying assessment prior to scoring actual student responses. The contractor shall provide periodic reports of interrater agreement as scoring progresses and summary data on interrater agreement when scoring has been completed. The contractor shall also periodically recheck the accuracy of each rater. To qualify for scoring student responses, an individual rater shall demonstrate at least a 90 percent rate of agreement with scores assigned by scoring leaders.

C. A rubric, which is the scoring criteria applied to example compositions unique to a specific prompt, shall be developed as part of the rater training process for rating a specific prompt.

D. Each composition shall be rated independently by two raters. Raters shall assign ratings on a scale of one to four (1-4) or assign a designation of not scorable according to the general scoring criteria in part 3501.0240 and the rubric developed for the specific prompt being scored. When a rater assigns N, the scoring leader shall either determine that the final score is N or declare the test scorable. A test, declared scorable through this procedure, shall be returned to begin the rating process again. Raters may assign only whole number ratings. Except as provided in item E, the written composition score for each student shall be the average of the two assigned ratings. An average score of at least 3.0 shall be required to pass the written composition test.

E. A student composition shall be evaluated by a third rater who is a scoring leader when the composition receives two ratings that:

(1) differ by more than one point; or

(2) consist of one 2 and one 3 rating.

The scoring leader shall independently assign a third rating to the composition. The final score shall be calculated by averaging the two ratings that are on the same side of the pass/not pass line. Final scores that are possible under this item are: 1, 1.5, 2, 3, 3.5, and 4. An assigned score of at least 3.0 shall be required to pass the written composition test.

Subp. 9. Test review. All written compositions shall be returned to districts after scoring is completed so that schools, teachers, and students have the opportunity to review them for diagnosis of student writing proficiency and identification of needs for further instruction. Districts may request, in advance of scoring, that compositions with failing scores be

returned with analytic scoring to provide additional assistance in preparing the student for retesting.

Statutory Authority: *MS s 121.11*

History: *21 SR 1106*

3501.0260 ALTERNATIVE TESTS FOR WRITTEN COMPOSITION.

Subpart 1. **Choice of test.** A district may choose a test for written composition from the list of tests that have been submitted, reviewed, and approved by the department according to the criteria in subpart 2. Alternative tests may be national, regional, statewide, or local instruments which assess skills in written composition in English. Requests for review of alternative tests must be submitted to the department by February 1 of the school year preceding the year of intended test administration. The department shall publish the list of all approved tests annually by August 1.

Subp. 2. **Criteria for alternative tests.** The following criteria shall be used by the state to review and approve alternative tests for written composition:

A. the test is designed specifically to assess written composition skills including at least those specified in part 3501.0230, subpart 2;

B. the test requires at least one written composition and the written composition portion of the test accounts for at least 50 percent of the total test score;

C. evidence is provided to demonstrate that:

(1) the test is scored by multiple raters who are independent of the testing district and whose pass/fail interrater reliability is at least 90 percent; and

(2) the scoring criteria and scoring process used for the test meet or exceed parts 3501.0240 and 3501.0250, subpart 8; or

(3) the district contracts with the state's vendor to score the test according to the state scoring process;

D. students are not permitted to use a dictionary, thesaurus, or other published or prepared reference or preparation material of any type during the testing session;

E. the test is administered under conditions which ensure that the responses are the original work of the student; and

F. there is a current manual which describes the development of the test instrument, recommended uses of the instrument, and technical data including reliability and validity.

Subp. 3. **Test security and recordkeeping.** A district which chooses an alternative test shall be responsible for test security, recordkeeping, and reporting as if the district had chosen the state test option. A different prompt for the written composition portion or portions of the alternative test must be used each time the alternative test is administered.

Subp. 4. **Continuation of approval.** Once a test has been approved, it may continue to be used by districts unless the annual August 1 listing specifically terminates the approval.

Subp. 5. **Revised test specifications.** Future changes in rule or law of the state test specifications for written compositions shall terminate state approval of alternative tests and require that the alternative tests be resubmitted for review under the revised state test specifications.

Statutory Authority: *MS s 121.11*

History: *21 SR 1106*

3501.0270 SCHOOL DISTRICT RESPONSIBILITIES.

For the purposes of parts 3501.0200 to 3501.0290, parts 3501.0090 to 3501.0170 apply.

Statutory Authority: *MS s 121.11*

History: *21 SR 1106*

3501.0280 TEST OF WRITTEN COMPOSITION; LIMITED ENGLISH PROFICIENT (LEP) STUDENTS.

Subpart 1. **Testing considerations.** For the purposes of parts 3501.0200 to 3501.0290, part 3501.0100 applies when testing Limited English Proficient (LEP) students.

Subp. 2. **Test prompts.** A district may translate into another language test prompts for tests of written composition.

Subp. 3. **Individual student progress.** In addition to the requirements in subparts 1 and 2 and part 3501.0130, individual student progress shall be reported on a student record as described in items A and B.

A. "Pass-translation" shall be the designation for reporting individual student passing scores in tests of written composition when test prompts are translated into a language other than English for the student. However, the student's response must be written in English without the use of any of the materials prohibited in part 3501.0250, subpart 7, item C.

B. "Pass-limited English proficiency" shall be recorded on the student record for written composition, at the request of the student or parent, when an analytic review, conducted by the state contracted vendor, of a twelfth grade LEP student's test concludes that the failing score has resulted solely from inadequate demonstration of language conventions described in part 3501.0230, subpart 2, item E. In no case, however, shall the "pass-limited English proficiency" designation be assigned to a composition completed primarily in a language other than English. No Limited English Proficient (LEP) student or parent shall be required to accept this designation to replace further instruction and further opportunities to achieve a "pass-state level" designation as defined in part 3501.0130, subpart 2, item A.

Statutory Authority: *MS s 121.11*

History: *21 SR 1106*

3501.0290 PASSING SCORE FOR STATE TESTS OF WRITTEN COMPOSITION.

The passing score for the state test of written composition is a rating of 3, consistent with part 3501.0250, subpart 8, items D and E.

Statutory Authority: *MS s 121.11*

History: *21 SR 1106*