

# HOUSE RESEARCH

## Bill Summary

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**Authors:** Rep. Sykora, Sen. Kelley, and Others

**Subject:** Repealing and replacing the profile of learning

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### Overview

Proposes to repeal the profile of learning and replace it with required core academic content standards in language arts, math, science, social studies (including history, geography, economics and government and citizenship) and the arts and elective content standards in health and physical education, vocational and technical education and world languages. Directs the commissioner to supplement the required academic standards with grade-level benchmarks that may be changed only with specific legislative authorization after a cyclical review of the standards and benchmarks. Requires students beginning ninth grade in the 2003-2004 school year and later to complete course credit requirements for graduation (four language arts credits, three mathematics credits, three science credits, three and one-half social studies credits and eight elective course credits including one arts credit). Directs the commissioner to consult with experts and stakeholders in developing state-constructed tests composed of multiple choice and constructed response questions for all students in grades three through eight and high school that are aligned with the state's academic standards. Requires school districts and school sites to use assessment results to monitor students' academic growth over time. Prohibits the commissioner from developing statewide social studies and arts assessments. Allows schools and school districts to use a student's performance on a statewide assessment for grading purposes. Directs the commissioner to identify designations for high and low performing public schools. Directs the board of teaching to adopt rules for a statewide credential for education paraprofessionals. Establishes an assessment advisory committee to review statewide assessments and make recommendations to the

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commissioner and the legislature. Requires the commissioner to adopt in rule language arts, math and arts standards identical to documents referenced in this legislation. Authorizes the commissioner to adopt rules on supplemental service providers.

**Article 1**

**Replacing Profile of Learning Standards and Graduation Requirements**

**1 1 Repealing profile of learning statutes and rules.** Prohibits the commissioner from implementing the profile of learning portion of the state's results-oriented graduation rules.

Makes this section effective immediately and applicable to the 2003-2004 school year and later.

**1 Educational expectations for Minnesota's students.** (a) Affirms that the legislature is committed to establishing rigorous academic standards for Minnesota's public school students. Directs the commissioner to adopt in rule statewide academic standards that do not prescribe the delivery system, classroom assessments or form of instruction the school sites must use. Makes passing basic skills test requirements and satisfactorily completing course credit requirements, as determined by the school district, conditions for graduating from high school. Directs the commissioner to periodically review and report on the state's assessment process.

Makes this section effective immediately.

**2 Required academic standards.**

**Subd. 1. Required academic standards.** Declares that (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 adopted academic standards apply as determined by the school district. Requires public elementary and middle schools to offer three and require at least two of four arts subject areas: dance, music, theater and visual arts. Requires public high schools to offer three and require at least one of five arts subject areas: media arts, dance, music, theater and visual arts.

Directs the commissioner to submit proposed science and social studies standards to the legislature by February 1, 2004. Declares that for federal law purposes, the language arts, mathematics and science standards 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 the standards are inappropriate. Directs the individualized education plan team to establish alternative standards.

Requires a school district by the 2007-2008 school year to adopt graduation requirements that meet or exceed state graduation requirements in law or rule. Requires a school district incorporating these graduation requirements before the 2007-2008 school year to provide students entering the ninth grade in or before the

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2003-2004 school year an opportunity to earn a diploma based on: local graduation requirements in effect when the students entered the ninth grade. Requires school districts that develop, implement or improve instruction or curriculum under this section to comply with the local curriculum review process (Minn. Stat. §§ 120B.10 and 120B.11 and the process for parents to review curriculum (Minn. Stat. § 120B.20).

**Subd. 2. Standards development.** (a) Directs the commissioner to consider the advice of stakeholders in developing the core academic standards: parents and the public; teachers and principals; school board and charter school board members; faculty teaching core subjects at post secondary institutions; and representatives of Minnesota's business community.

(b) Requires the academic standards to (1) be clear, concise, measurable and grade-level appropriate, (2) not require a specific teaching methodology or curriculum, and (3) be consistent with the U.S. and Minnesota constitutions.

**Subd. 3. Rulemaking.** (a) Directs the commissioner to adopt statewide rules using the expedited rule making process for implementing statewide rigorous core academic standards in language arts, mathematics and the arts. Prohibits the commissioner from further amending or repealing these rules or adopting new rules on the same topic without specific legislative authorization. Requires the language arts and mathematics standards to be implemented for all students beginning in the 2003-2004 school year.

(b) Exempts the rules under this section from the requirement that the legislature approve rules that cost a person or entity more than \$10,000 annually.

Makes this section effective immediately.

Links to the Minnesota Academic Standards from the Minnesota Department of Education, as agreed to by the Profile of Learning conference committee:

- Arts

### 3 **Elective standards.**

**Subd. 1. Elective standards.** Directs a school district to establish its own standards in health and physical education, vocational and technical education and world languages. Requires a school district to offer courses in all elective subject areas.

**Subd. 2. Local assessments.** Directs a school district to use local assessments to determine if a student has achieved an elective standard.

Makes this section effective immediately.

### 4 **Benchmarks.** (a) Directs the commissioner to supplement required state academic standards with grade-level benchmarks. Allows high school benchmarks to cover more than one grade. Requires the benchmarks to implement state academic standards by specifying the academic knowledge and skills that schools must offer and students must achieve to complete a state standard. Indicates that benchmarks are published to inform and guide parents, teachers, school districts and others and for use in developing tests consistent with the benchmarks.

(b) Directs the commissioner to publish the benchmarks in the State Register and to transmit the benchmarks in any other manner that makes them accessible to the public. Allows the

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commissioner to charge a reasonable publication fee.

(c) Allows the commissioner to change once-established benchmarks only with specific legislative authority and after completing the benchmark review under paragraph (d).

(d) Directs the commissioner to 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) Declares that benchmarks are not subject to administrative procedures under Minnesota Statutes, chapter 14.

Makes this section effective immediately.

- 5 Graduation requirements; course credits.** Requires students beginning ninth grade in the 2004-2005 school year to successfully complete high school level course credits for graduation: (1) four language arts credits; (2) three mathematics credits that encompass at least algebra, geometry, statistics, and probability sufficient to satisfy the standard; (3) three science credits that include at least one biology credit; (4) three and one-half social studies credits, including one geography credit, one U.S. history credit, one-half government and citizenship credit, one-half world history credit and one-half economics credit; and a minimum of eight elective course credits, including at least one arts credit. Declares that 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 school district.

Makes this section effective immediately.

- 6 Statewide testing.** (a) Directs the commissioner, with advice from experts and stakeholders, to include in the comprehensive assessment system state-constructed tests developed from and aligned with the state's required academic standards and administered annually to all students in grades three through eight and at the high school level. Requires state-developed tests developed after the 2002-2003 school year in subjects other than writing to include both multiple choice and constructed response questions.

(b) Makes third through eighth and high school level test results available to school districts.

(c) Requires state tests to be constructed and aligned with state academic standards. Requires statewide test results to be aggregated at the school site and school district levels.

(d) Requires the commissioner to include as components in the statewide public reporting system, among other components: (1) the uniform statewide testing of all students in grades three through eight and at the high school level with very few exemptions for students with individualized education plans who are determined to be incapable of taking a statewide test for students with limited English proficiency who have been in the U.S. for fewer than three years; and (4) state results from participating in the National Assessment of Educational Progress (NAEP).

Makes this section effective immediately and applicable to the 2005-2006 school year and later.

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**7**        **Statewide and local assessments; results.** (a) Directs the commissioner to develop language arts, mathematics and science assessments aligned with state academic standards that school districts and school sites must use to monitor students' academic growth. Prohibits the commissioner from developing statewide assessments for social studies and arts standards. Directs the commissioner to require: (1) annual language arts and math assessments in grades three through eight and at the high school level for the 2005-2006 school year and later; and (2) annual science assessments in one grade in each of the 3-5, 6-9, and 10-12 grade spans for the 2007-2008 school year and later.

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

(c) Requires that assessment results reports: (1) provide timely, useful and understandable information on the performance of 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 state law and applicable federal law, directs the commissioner to include alternative assessments for the very few students with disabilities for whom statewide assessments are inappropriate and for students with limited English proficiency.

(e) Requires schools, school districts and charter schools to administer statewide assessments, as they become available, to evaluate students' progress in achieving academic standards. When state assessments are unavailable, directs schools, school districts and charter schools to determine locally whether students have met required academic standards. Allows schools, school districts and charter schools to use students' performance on a statewide assessment as one of multiple criteria to determine grade promotion or retention. Also allows schools, school districts and charter schools to use high school students' performance on a statewide assessment as a percentage of the student's final grade in a course, and to place students' assessment scores on students' transcripts.

Makes this section effective immediately.

**8**        **School accountability; appeals process.** (a) Directs the commissioner to use objective criteria based on levels of student performance to identify four to six designations applicable to high and low performing public schools. Requires the objective criteria to include at least student academic performance, school safety and staff characteristics, with a value-added component added by the 2006-2007 school year.

(b) Directs the commissioner to develop, annually update and post on the department website school performance report cards. Requires a school's designation to be clearly stated on the report card.

(c) Directs the commissioner to make available the first school designations and school performance report cards by November 2003, and during the beginning of each school year

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thereafter.

(d) Allows a school or school district to submit a written appeal of a designation within 30 days. Makes the commissioner's decision to uphold or deny an appeal final.

Makes this section effective immediately and applicable to the 2005-2006 school year and later.

### **9 Credential for education paraprofessionals.**

**Subd. 1. Rulemaking.** Directs the board of teaching to adopt rules to implement a statewide credential for education paraprofessionals who assist a licensed teacher in providing student instruction. Declares as highly qualified under federal law any paraprofessional who holds this credential or works in a school district after meeting a state-approved local assessment. Directs the board of teaching to recommend to the commissioner qualitative criteria for approving local assessments that evaluate a paraprofessional's knowledge of reading, writing and math and the paraprofessional's ability to assist with reading, writing and math instruction.

**Subd. 2. Training possibilities.** Directs the board of teaching, when adopting the rules, to consider including training in students' characteristics, the teaching and learning environment, academic instruction skills, student behavior and ethical practices.

**Subd. 3. Initial training.** Directs a school district to provide paraprofessionals with initial training in emergency procedures, confidentiality, vulnerability, reporting obligations, discipline policies, roles and responsibilities and a building orientation within the first 60 days of when the paraprofessional supervises or works with students.

Makes this section effective immediately.

### **10 Assessment advisory committee.**

**Subd. 1. Establishment.** Establishes an 11-member assessment advisory committee selected by the commissioner. Requires the commissioner to select two superintendents, two teachers, two higher education faculty, and up to five public members who are parents or members of the business community. Directs the committee to review all statewide assessments and to submit its recommendations to the commissioner and the legislature. Directs the commissioner to consider the committee's recommendations before finalizing a statewide assessment.

**Subd. 2. Expiration.** Causes the committee to expire on June 30, 2014.

Makes this section effective immediately and applicable to the 2005-2006 school year and later.

### **11 Repealer.** (a) Repeals a statutory section governing the profile of learning (Minn. Stat. § 120B.031.).

(b) Repeals those specific parts of Minnesota Rules, chapter 3501, governing the implementation of the profile of learning.

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Makes this section effective for the 2003-2004 school year and later.

### **Article 2** **Commissioner's Duties**

**1 1 Minnesota's high academic standards.** (a) Requires the rules the commissioner adopts on the language arts, mathematics and arts standards to be identical to the named documents.

(b) Requires the named documents to be deposited with the Minnesota revisor of statutes, the legislative reference library and the Minnesota state law library, where the documents must be retained until the commissioner adopts rules implementing the language arts, mathematics and arts standards. Directs the revisor to determine that the proposed rules are identical to the documents deposited with the revisor before the revisor approves the form of the rules. Allows the revisor to make needed grammatical and form changes.

Makes this section effective immediately.

Links to the Minnesota Academic Standards from the Minnesota Department of Education, as agreed to by the Profile of Learning conference committee:

- Arts

**2 Recommendations on high academic standards.** Directs the commissioner, after consulting with affected stakeholders, to provide the legislature by February 1, 2004, with written recommendations that: (1) identify cut-scores on high school reading and mathematics assessments that indicate 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 end-of-course exams as a graduation requirement; (4) evaluate the feasibility of including state percentile ranking and a national comparison; and (5) establish a method for using the grade 8 language arts and math tests to satisfy basic skills requirements.

Makes this section effective immediately.

**3 Rules for supplemental service providers.** Allows the commissioner to adopt expedited rules that establish criteria for identifying, annually reviewing and formally listing eligible supplemental service providers throughout Minnesota, consistent with applicable federal requirements and Minnesota's application for supplemental service providers under Title I, Part A, of the No Child Left Behind Act.

Makes this section effective immediately and applicable to supplemental service providers delivering supplemental English or math services to eligible students in the 2003-2004 school year and later.