

1.1 A bill for an act

1.2 relating to education; establishing high school assessments to determine college
1.3 and career readiness; amending Minnesota Statutes 2009 Supplement, section
1.4 120B.30, subdivision 1, by adding a subdivision.

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

1.6 Section 1. Minnesota Statutes 2009 Supplement, section 120B.30, subdivision 1, is
1.7 amended to read:

1.8 Subdivision 1. **Statewide testing.** (a) The commissioner, with advice from experts
1.9 with appropriate technical qualifications and experience and stakeholders, consistent with
1.10 subdivision 1a, shall include in the comprehensive assessment system, for each grade
1.11 level to be tested, state-constructed tests developed from and aligned with the state's
1.12 required academic standards under section 120B.021, include multiple choice questions,
1.13 and be administered annually to all students in grades 3 through 8. State-developed high
1.14 school tests aligned with the state's required academic standards under section 120B.021
1.15 and administered to all high school students in a subject other than writing must include
1.16 multiple choice questions. The commissioner shall establish one or more months during
1.17 which schools shall administer the tests to students each school year. For students enrolled
1.18 in grade 8 before the 2005-2006 school year, Minnesota basic skills tests in reading,
1.19 mathematics, and writing shall fulfill students' basic skills testing requirements for a
1.20 passing state notation. The passing scores of basic skills tests in reading and mathematics
1.21 are the equivalent of 75 percent correct for students entering grade 9 based on the first
1.22 uniform test administered in February 1998. Students who have not successfully passed
1.23 a Minnesota basic skills test by the end of the 2011-2012 school year must pass the
1.24 graduation-required assessments for diploma under paragraph (b).

2.1 (b) The state assessment system must be aligned to the most recent revision of
2.2 academic standards as described in section 120B.023 in the following manner:

2.3 (1) mathematics;

2.4 (i) grades 3 through 8 beginning in the 2010-2011 school year; and

2.5 (ii) high school level beginning in the ~~2013-2014~~ 2014-2015 school year;

2.6 (2) science; grades 5 and 8 and at the high school level beginning in the 2011-2012
2.7 school year; and

2.8 (3) language arts and reading; grades 3 through 8 and high school level beginning in
2.9 the 2012-2013 school year.

2.10 (c) For students enrolled in grade 8 in the 2005-2006 school year and later, only the
2.11 following options shall fulfill students' state graduation test requirements:

2.12 (1) for reading and mathematics:

2.13 (i) obtaining an achievement level equivalent to or greater than proficient as
2.14 determined through a standard setting process on the Minnesota comprehensive
2.15 assessments in grade 10 for reading and grade 11 for mathematics or achieving a passing
2.16 score as determined through a standard setting process on the graduation-required
2.17 assessment for diploma in grade 10 for reading and grade 11 for mathematics or
2.18 subsequent retests;

2.19 (ii) achieving a passing score as determined through a standard setting process on the
2.20 state-identified language proficiency test in reading and the mathematics test for English
2.21 language learners or the graduation-required assessment for diploma equivalent of those
2.22 assessments for students designated as English language learners;

2.23 (iii) achieving an individual passing score on the graduation-required assessment
2.24 for diploma as determined by appropriate state guidelines for students with an individual
2.25 education plan or 504 plan;

2.26 (iv) obtaining achievement level equivalent to or greater than proficient as
2.27 determined through a standard setting process on the state-identified alternate assessment
2.28 or assessments in grade 10 for reading and grade 11 for mathematics for students with
2.29 an individual education plan; or

2.30 (v) achieving an individual passing score on the state-identified alternate assessment
2.31 or assessments as determined by appropriate state guidelines for students with an
2.32 individual education plan; and

2.33 (2) for writing:

2.34 (i) achieving a passing score on the graduation-required assessment for diploma;

3.1 (ii) achieving a passing score as determined through a standard setting process on
3.2 the state-identified language proficiency test in writing for students designated as English
3.3 language learners;

3.4 (iii) achieving an individual passing score on the graduation-required assessment
3.5 for diploma as determined by appropriate state guidelines for students with an individual
3.6 education plan or 504 plan; or

3.7 (iv) achieving an individual passing score on the state-identified alternate assessment
3.8 or assessments as determined by appropriate state guidelines for students with an
3.9 individual education plan.

3.10 (d) Students enrolled in grade 8 in any school year from the 2005-2006 school
3.11 year to the 2009-2010 school year who do not pass the mathematics graduation-required
3.12 assessment for diploma under paragraph (b) are eligible to receive a high school diploma
3.13 with a passing state notation if they:

3.14 (1) complete with a passing score or grade all state and local coursework and credits
3.15 required for graduation by the school board granting the students their diploma;

3.16 (2) participate in district-prescribed academic remediation in mathematics; and

3.17 (3) fully participate in at least two retests of the mathematics GRAD test or until
3.18 they pass the mathematics GRAD test, whichever comes first. A school, district, or
3.19 charter school must place a student's highest assessment score for each of the following
3.20 assessments on the student's high school transcript: the mathematics Minnesota
3.21 Comprehensive Assessment, reading Minnesota Comprehensive Assessment, and writing
3.22 Graduation-Required Assessment for Diploma, and when applicable, the mathematics
3.23 Graduation-Required Assessment for Diploma and reading Graduation-Required
3.24 Assessment for Diploma.

3.25 In addition, the school board granting the students their diplomas may formally
3.26 decide to include a notation of high achievement on the high school diplomas of those
3.27 graduating seniors who, according to established school board criteria, demonstrate
3.28 exemplary academic achievement during high school.

3.29 (e) The 3rd through 8th grade and high school test results shall be available to
3.30 districts for diagnostic purposes affecting student learning and district instruction and
3.31 curriculum, and for establishing educational accountability. The commissioner must
3.32 disseminate to the public the high school test results upon receiving those results.

3.33 (f) The 3rd through 8th grade and high school tests must be aligned with state
3.34 academic standards. The commissioner shall determine the testing process and the order
3.35 of administration. The statewide results shall be aggregated at the site and district level,
3.36 consistent with subdivision 1a.

4.1 (g) In addition to the testing and reporting requirements under this section, the
4.2 commissioner shall include the following components in the statewide public reporting
4.3 system:

4.4 (1) uniform statewide testing of all students in grades 3 through 8 and at the high
4.5 school level that provides appropriate, technically sound accommodations or alternate
4.6 assessments;

4.7 (2) educational indicators that can be aggregated and compared across school
4.8 districts and across time on a statewide basis, including average daily attendance, high
4.9 school graduation rates, and high school drop-out rates by age and grade level;

4.10 (3) state results on the American College Test; and

4.11 (4) state results from participation in the National Assessment of Educational
4.12 Progress so that the state can benchmark its performance against the nation and other
4.13 states, and, where possible, against other countries, and contribute to the national effort
4.14 to monitor achievement.

4.15 Sec. 2. Minnesota Statutes 2009 Supplement, section 120B.30, is amended by adding a
4.16 subdivision to read:

4.17 Subd. 1b. High school assessments. (a) The commissioner shall establish a system
4.18 of high school assessments to provide information on the college and career readiness of
4.19 Minnesota students and fulfill federal accountability requirements.

4.20 (b) The commissioner shall establish a reading and writing high school exam given
4.21 at the end of grade 10. The reading and writing exam and its procedures shall:

4.22 (1) be aligned to the most recent academic content standards as required under
4.23 subdivision 1, paragraph (b);

4.24 (2) produce independent scores for each content area;

4.25 (3) include on the reading portion of the exam both multiple-choice and open-ended
4.26 items to assess skills defined in the state's academic content standards;

4.27 (4) be designed for computer administration and scoring;

4.28 (5) allow for retests of either the reading or writing portions of the exam using
4.29 computer administration at frequent intervals;

4.30 (6) use achievement level descriptors in both reading and writing that define a
4.31 student's preparedness for college or career;

4.32 (7) be required of all general education students to achieve passing scores in both
4.33 reading and writing established through a professionally recognized methodology to
4.34 be eligible for graduation;

5.1 (8) require a student to participate in a locally developed remediation plan if the
5.2 student does not achieve a passing score after two retest opportunities;

5.3 (9) allow for a state-level student appeal process established by the commissioner to
5.4 waive the assessment requirement for a limited number of students available only in the
5.5 second semester of their senior year who are unable to demonstrate proficiency of reading
5.6 or writing knowledge and skills on the assessment; and

5.7 (10) allow for a student to meet this exam requirement through alternative methods
5.8 that shall include:

5.9 (i) passing another state's federal accountability exam requirements in the relevant
5.10 subject of reading or writing;

5.11 (ii) achieving a passing status at an individual level in a manner prescribed by the
5.12 commissioner if the student has an active Individualized Education Plan;

5.13 (iii) waiving the required exam for the student who is an English language learner
5.14 as defined under section 124D.59, and who has been in the United States for fewer than
5.15 four years;

5.16 (iv) achieving a college-credit score on a College-Level Examination Program
5.17 (CLEP) of Analyzing and Interpreting Literature or Freshman College Composition for
5.18 the corresponding subject of the exam; or

5.19 (v) achieving a college readiness score in the relevant subject on the ACT or SAT
5.20 exam.

5.21 (c) The commissioner shall establish statewide end-of-course exams in subjects
5.22 equivalent to advanced high school algebra and biology. These exams and their procedures
5.23 shall:

5.24 (1) be aligned to the most recent academic content standards as required under
5.25 subdivision 1, paragraph (b);

5.26 (2) include both multiple-choice and open-ended items that assess the appropriate
5.27 algebra and biology knowledge and skills as defined in the state's academic content
5.28 standards and as documented in the Minnesota Common Course Catalog;

5.29 (3) be designed for computer administration and scoring;

5.30 (4) be administered at regular intervals that allow for sufficient administration
5.31 flexibility to align to the most common high school scheduling configurations;

5.32 (5) establish levels of achievement on the exams through a professionally recognized
5.33 methodology;

5.34 (6) use achievement level descriptors that define a student's preparedness for college
5.35 or career;

6.1 (7) be a component of the student's overall course grade equivalent to 25 percent in
6.2 the corresponding course;

6.3 (8) require a student who does not pass the associated course in advanced high
6.4 school algebra or biology to retake the course or complete a district-authorized credit
6.5 recovery class and retake the state end-of-course assessment within a regularly scheduled
6.6 administration window with the exam being a component of the student's overall course
6.7 grade equivalent to 25 percent;

6.8 (9) allow for a student to meet this exam requirement through alternative methods
6.9 that shall include:

6.10 (i) passing another state's requirements in advanced high school algebra or biology;

6.11 (ii) achieving a passing status at an individual level in a manner prescribed by the
6.12 commissioner if the student has an active Individualized Education Plan;

6.13 (iii) waiving the required exam for the student who is an English language learner
6.14 as defined under section 124D.59, and who has been in the United States for fewer than
6.15 four years;

6.16 (iv) achieving the mathematics or science college readiness score on the ACT or
6.17 SAT exam;

6.18 (v) earning credit under section 120B.024 and scoring at or above the college and
6.19 career-ready performance level on the exams;

6.20 (vi) achieving a college-credit score on a College-Level Examination Program
6.21 (CLEP) of College Algebra or Biology; or

6.22 (vii) achieving a score on an equivalent Advanced Placement or International
6.23 Baccalaureate exam that would earn credit at a four-year college or university;

6.24 (10) calculate and make public an alignment index that compares final grades of
6.25 students in these courses with their scores on the corresponding end-of-course exam
6.26 beginning in the 2015-2016 school year, in a manner prescribed by the commissioner,
6.27 with three years of research and analysis, and with preliminary results being shared
6.28 with districts in each of the three years of research and analysis leading up to the final
6.29 alignment index;

6.30 (11) require schools that are highly misaligned for two consecutive years to
6.31 send written notification to all parents in grades 7 to 12 in a manner prescribed by the
6.32 commissioner;

6.33 (12) use school district funds in a manner consistent with section 122A.60,
6.34 subdivision 1a, paragraph (a), to correct the misalignment when schools are highly
6.35 misaligned for two consecutive years; and

7.1 (13) require the school and its district that are designated under clause (10) as highly
7.2 misaligned for two consecutive years in the course of record to reimburse the student's
7.3 institution of higher education for one remediation course per subject required of the
7.4 student prior to enrolling in a credit-bearing course in algebra or biology if the student
7.5 enrolls in a Minnesota institution of higher education within 12 months of graduation.

7.6 (d) The college and career readiness achievement level of the student shall be noted
7.7 on the student transcript for each subject under this subdivision.

7.8 (e) The requirements of this subdivision are effective for the students who enter
7.9 grade 8 in the school year 2010-2011 or later. The commissioner may establish a transition
7.10 period where students who enter grade 8 in the school years of 2010-2011 or 2011-2012
7.11 may graduate under the Graduation-Required Assessment for Diploma requirements as
7.12 defined in section 120B.30, subdivision 1, or through a staged implementation of this
7.13 subdivision until the 2012-2013 school year. During this transition period, the proficiency
7.14 of any interim passing score in reading or writing must be comparable in rigor to the
7.15 passing scores currently required for reading and writing under the Graduation-Required
7.16 Assessments for Diploma. The commissioner may seek implementation timeline waivers
7.17 from the legislature if system development considerations warrant such adjustment. Such
7.18 waivers or adjustments would include the reauthorization of the federal Elementary and
7.19 Secondary Education Act or other federal education initiatives that affect assessment and
7.20 accountability of schools.

7.21 (f) The commissioner shall develop additional end-of-course exams for statewide
7.22 use in geometry, chemistry, and physics to be required for use by high schools beginning
7.23 in the 2015-2016 school year.

7.24 (g) The commissioner shall develop benchmark assessments for statewide use
7.25 that are aligned with the high school algebra end-of-course exam. The commissioner
7.26 shall also provide districts with access to an item bank that teachers can use to create
7.27 classroom-based formative assessments that help students prepare for the algebra
7.28 end-of-course exam.

7.29 (h) The commissioner shall expand the membership and purpose of the Assessment
7.30 Advisory Committee established under section 120B.365, to include assessment experts,
7.31 practitioners, and other appropriate stakeholders to monitor the implementation of the
7.32 exams and policies affected by this subdivision. This committee shall report annually by
7.33 January 15 to the commissioner and the legislative committees having jurisdiction over
7.34 kindergarten through grade 12 education on the implementation of the requirements of
7.35 this subdivision.

S.F. No. 3110, 1st Engrossment - 86th Legislative Session (2009-2010) [s3110-1]

8.1 (i) The commissioner shall contract for at least two independent studies at
8.2 two-year intervals to evaluate the implementation and effects of the requirements of this
8.3 subdivision. The results of the first study shall be provided to the legislative committees
8.4 having jurisdiction over kindergarten through grade 12 education by January 15, 2015.
8.5 The results of the second study shall be provided to the legislative committees having
8.6 jurisdiction over kindergarten through grade 12 education by January 15, 2017.