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State of Minnesota
HOUSE OF REPRESENTATIVES

**EIGHTY-FIFTH
SESSION**

HOUSE FILE No. 420

January 29, 2007

Authored by Ward, Greiling, Mariani, Dettmer, Moe and others

The bill was read for the first time and referred to the Committee on E-12 Education

March 15, 2007

Committee Recommendation and Adoption of Report:

To Pass and re-referred to the Committee on Finance

1.1 A bill for an act
1.2 relating to education; providing for statewide health and physical education
1.3 requirements; directing the Education Department to post approved local school
1.4 wellness policies on the department Web site; establishing a grant program to
1.5 implement local school wellness policies; authorizing rulemaking; appropriating
1.6 money; amending Minnesota Statutes 2006, sections 120B.021, subdivision 1;
1.7 120B.023, subdivision 2; 120B.024; proposing coding for new law in Minnesota
1.8 Statutes, chapter 121A.

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

1.10 Section 1. Minnesota Statutes 2006, section 120B.021, subdivision 1, is amended to
1.11 read:

1.12 Subdivision 1. **Required academic standards.** The following subject areas are
1.13 required for statewide accountability:

1.14 (1) language arts;

1.15 (2) mathematics;

1.16 (3) science;

1.17 (4) social studies, including history, geography, economics, and government and
1.18 citizenship;

1.19 (5) health and physical education, ~~for which locally developed academic standards~~
1.20 ~~apply~~; and

1.21 (6) the arts, for which statewide or locally developed academic standards apply, as
1.22 determined by the school district. Public elementary and middle schools must offer at least
1.23 three and require at least two of the following four arts areas: dance; music; theater; and
1.24 visual arts. Public high schools must offer at least three and require at least one of the
1.25 following five arts areas: media arts; dance; music; theater; and visual arts.

2.1 The commissioner must submit proposed standards in science and social studies to
2.2 the legislature by February 1, 2004.

2.3 For purposes of applicable federal law, the academic standards for language arts,
2.4 mathematics, and science apply to all public school students, except the very few students
2.5 with extreme cognitive or physical impairments for whom an individualized education
2.6 plan team has determined that the required academic standards are inappropriate.

2.7 An individualized education plan team that makes this determination must establish
2.8 alternative standards.

2.9 A school district, no later than the 2007-2008 school year, must adopt graduation
2.10 requirements that meet or exceed state graduation requirements established in law or
2.11 rule. A school district that incorporates these state graduation requirements before the
2.12 2007-2008 school year must provide students who enter the 9th grade in or before
2.13 the 2003-2004 school year the opportunity to earn a diploma based on existing locally
2.14 established graduation requirements in effect when the students entered the 9th grade.
2.15 District efforts to develop, implement, or improve instruction or curriculum as a result
2.16 of the provisions of this section must be consistent with sections 120B.10, 120B.11,
2.17 and 120B.20.

2.18 **EFFECTIVE DATE.** This section is effective the day following final enactment,
2.19 except that clause (5) applies to students entering the ninth grade in the 2008-2009 school
2.20 year and later.

2.21 Sec. 2. Minnesota Statutes 2006, section 120B.023, subdivision 2, is amended to read:

2.22 Subd. 2. **Revisions and reviews required.** (a) The commissioner of education must
2.23 revise and appropriately embed technology and information literacy standards consistent
2.24 with recommendations from school media specialists into the state's academic standards
2.25 and graduation requirements and implement a review cycle for state academic standards
2.26 and related benchmarks, consistent with this subdivision. During each review cycle, the
2.27 commissioner also must examine the alignment of each required academic standard and
2.28 related benchmark with the knowledge and skills students need for college readiness and
2.29 advanced work in the particular subject area.

2.30 (b) The commissioner in the 2006-2007 school year must revise and align the state's
2.31 academic standards and high school graduation requirements in mathematics to require
2.32 that students satisfactorily complete the revised mathematics standards, beginning in the
2.33 2010-2011 school year. Under the revised standards:

3.1 (1) students must satisfactorily complete an algebra I credit by the end of eighth
3.2 grade; and

3.3 (2) students scheduled to graduate in the 2014-2015 school year or later must
3.4 satisfactorily complete an algebra II credit or its equivalent.

3.5 The commissioner also must ensure that the statewide mathematics assessments
3.6 administered to students in grades 3 through 8 and 11 beginning in the 2010-2011
3.7 school year are aligned with the state academic standards in mathematics. The statewide
3.8 11th grade mathematics test administered to students under clause (2) beginning in
3.9 the 2013-2014 school year must include algebra II test items that are aligned with
3.10 corresponding state academic standards in mathematics. The commissioner must
3.11 implement a review of the academic standards and related benchmarks in mathematics
3.12 beginning in the 2015-2016 school year.

3.13 (c) The commissioner in the 2007-2008 school year must revise and align the state's
3.14 academic standards and high school graduation requirements in the arts to require that
3.15 students satisfactorily complete the revised arts standards beginning in the 2010-2011
3.16 school year. The commissioner must implement a review of the academic standards and
3.17 related benchmarks in arts beginning in the 2016-2017 school year.

3.18 (d) The commissioner in the 2008-2009 school year must revise and align the state's
3.19 academic standards and high school graduation requirements in science to require that
3.20 students satisfactorily complete the revised science standards, beginning in the 2011-2012
3.21 school year. Under the revised standards, students scheduled to graduate in the 2014-2015
3.22 school year or later must satisfactorily complete a chemistry or physics credit. The
3.23 commissioner must implement a review of the academic standards and related benchmarks
3.24 in science beginning in the 2017-2018 school year.

3.25 (e) The commissioner in the 2009-2010 school year must revise and align the state's
3.26 academic standards and high school graduation requirements in language arts to require
3.27 that students satisfactorily complete the revised language arts standards beginning in the
3.28 2012-2013 school year. The commissioner must implement a review of the academic
3.29 standards and related benchmarks in language arts beginning in the 2018-2019 school year.

3.30 (f) The commissioner in the 2010-2011 school year must revise and align the state's
3.31 academic standards and high school graduation requirements in social studies to require
3.32 that students satisfactorily complete the revised social studies standards beginning in the
3.33 2013-2014 school year. The commissioner must implement a review of the academic
3.34 standards and related benchmarks in social studies beginning in the 2019-2020 school year.

3.35 (g) School districts and charter schools must revise and align local academic
3.36 standards and high school graduation requirements in ~~health, physical education, world~~

4.1 languages; and career and technical education to require students to complete the revised
 4.2 standards beginning in a school year determined by the school district or charter school.
 4.3 School districts and charter schools must formally establish a periodic review cycle for
 4.4 the academic standards and related benchmarks in ~~health, physical education,~~ world
 4.5 languages; and career and technical education.

4.6 **EFFECTIVE DATE.** This section is effective the day following final enactment
 4.7 and applies to students entering the ninth grade in the 2008-2009 school year and later.

4.8 Sec. 3. Minnesota Statutes 2006, section 120B.024, is amended to read:

4.9 **120B.024 GRADUATION REQUIREMENTS; COURSE CREDITS.**

4.10 (a) Students beginning 9th grade in the 2004-2005 school year and later must
 4.11 successfully complete the following high school level course credits for graduation:

4.12 (1) four credits of language arts;

4.13 (2) three credits of mathematics, encompassing at least algebra, geometry, statistics,
 4.14 and probability sufficient to satisfy the academic standard;

4.15 (3) three credits of science, including at least one credit in biology;

4.16 (4) three and one-half credits of social studies, encompassing at least United
 4.17 States history, geography, government and citizenship, world history, and economics or
 4.18 three credits of social studies encompassing at least United States history, geography,
 4.19 government and citizenship, and world history, and one-half credit of economics taught in
 4.20 a school's social studies, agriculture education, or business department;

4.21 (5) one credit in the arts; ~~and~~

4.22 (6) one-half credit in physical education and one-half credit in health education; and

4.23 (7) a minimum of ~~seven~~ six elective course credits.

4.24 A course credit is equivalent to a student successfully completing an academic
 4.25 year of study or a student mastering the applicable subject matter, as determined by the
 4.26 local school district.

4.27 (b) An agriculture science course may fulfill a science credit requirement in addition
 4.28 to the specified science credits in biology and chemistry or physics under paragraph (a),
 4.29 clause (3).

4.30 **EFFECTIVE DATE.** This section is effective the day following final enactment
 4.31 and applies to students entering the ninth grade in the 2008-2009 school year and later.

4.32 Sec. 4. **[121A.215] LOCAL SCHOOL WELLNESS POLICIES; DEPARTMENT**
 4.33 **WEB SITE.**

5.1 Consistent with federal law requiring local school wellness policies, each school and
5.2 school district annually must transmit its locally approved school wellness policy to the
5.3 department, in the form and manner that the department determines. The department must
5.4 post all current school and district wellness policies on the department Web site.

5.5 **EFFECTIVE DATE.** This section is effective the day following final enactment.

5.6 Sec. 5. **GRANTS TO IMPLEMENT LOCAL SCHOOL WELLNESS POLICIES.**

5.7 (a) A two-year grant program for fiscal years 2008 and 2009 is established to help
5.8 schools and school districts implement local school wellness policies required under
5.9 federal law. An applicant for a grant must have a locally approved school wellness policy
5.10 that exceeds minimum federal requirements governing schools' wellness policies. To
5.11 obtain a grant under this section, an eligible applicant must submit an application to the
5.12 commissioner of education in the form and manner established by the commissioner. The
5.13 application must describe how the applicant will:

5.14 (1) address local child wellness concerns about children's diet-related health,
5.15 physical and other implicated activities, and nutrition; and

5.16 (2) involve parents, students, the school food authority, the school board, school
5.17 administrators, and interested members of the public in implementing its school wellness
5.18 policy.

5.19 The commissioner may require additional information from an applicant.

5.20 (b) The commissioner may award grants to applicants on a first-come, first-served
5.21 basis that the commissioner determines successfully satisfy the requirements under
5.22 paragraph (a). Grant recipients must be located throughout the state to the extent feasible.
5.23 The commissioner must base the amount of a recipient's grant on the number of students
5.24 participating in the program and the demonstrated costs of implementing the components
5.25 under paragraph (a), clauses (1) and (2). Recipients must use grant proceeds to supplement
5.26 but not supplant current local expenditures for developing and implementing a local
5.27 wellness policy.

5.28 **EFFECTIVE DATE.** This section is effective the day following final enactment.

5.29 Sec. 6. **RULEMAKING AUTHORITY.**

5.30 The commissioner of education shall adopt rules under Minnesota Statutes, chapter
5.31 14, for health and physical education standards required for high school graduation,
5.32 consistent with Minnesota Statutes, section 120B.024, after reviewing the seven health
5.33 standards and six physical education standards developed by the Education Department's

6.1 health and physical education quality teaching network and consulting with interested and
6.2 qualified stakeholders and members of the public about the proposed substance of the
6.3 health and physical education standards.

6.4 **EFFECTIVE DATE.** This section is effective the day following final enactment.

6.5 Sec. 7. **APPROPRIATION.**

6.6 \$2,000,000 is appropriated from the general fund to the Department of Education
6.7 for fiscal year 2008 for grants to help schools and school districts implement local school
6.8 wellness policies under section 5 or to supplement local wellness policies currently
6.9 in effect. Any funds not expended in fiscal year 2008 do not cancel but are available
6.10 in fiscal year 2009.