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# State of Minnesota HOUSE OF REPRESENTATIVES

EIGHTY-SIXTH  
SESSION

HOUSE FILE No. **3115**

February 22, 2010

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

March 4, 2010

Committee Recommendation and Adoption of Report:

To Pass as Amended and re-referred to the Committee on Finance

1.1 A bill for an act  
1.2 relating to education; requiring statewide physical education standards; requiring  
1.3 a report; establishing a healthy kids awards program; requiring rulemaking;  
1.4 amending Minnesota Statutes 2008, section 120B.021, subdivision 1; Minnesota  
1.5 Statutes 2009 Supplement, section 120B.023, subdivision 2; proposing coding  
1.6 for new law in Minnesota Statutes, chapter 121A.

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

1.8 Section 1. Minnesota Statutes 2008, section 120B.021, subdivision 1, is amended to  
1.9 read:

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

1.12 (1) language arts;

1.13 (2) mathematics;

1.14 (3) science;

1.15 (4) social studies, including history, geography, economics, and government and  
1.16 citizenship;

1.17 (5) physical education;

1.18 (6) health and physical education, for which locally developed academic standards  
1.19 apply; and

1.20 ~~(6)~~ (7) the arts, for which statewide or locally developed academic standards apply,  
1.21 as determined by the school district. Public elementary and middle schools must offer at  
1.22 least three and require at least two of the following four arts areas: dance; music; theater;  
1.23 and visual arts. Public high schools must offer at least three and require at least one of the  
1.24 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 The commissioner must include the contributions of Minnesota American Indian  
2.19 tribes and communities as they relate to the academic standards during the review and  
2.20 revision of the required academic standards.

2.21 **EFFECTIVE DATE.** This section is effective the day following final enactment  
2.22 and applies to all school districts and charter schools beginning in the 2012-2013 school  
2.23 year and later. A school district or charter school may implement state physical education  
2.24 standards in an earlier school year than the 2012-2013 school year if it has adopted  
2.25 physical education standards equivalent to the standards developed by the National  
2.26 Association for Sport and Physical Education under section 4 on the effective date of this  
2.27 act, or if it is scheduled to undertake the periodic review of its local physical education  
2.28 standards under Minnesota Statutes, section 120B.023, subdivision 2, paragraph (g), in a  
2.29 school year before the 2012-2013 school year, it may implement state physical education  
2.30 standards consistent with section 4 in an earlier school year.

2.31 Sec. 2. Minnesota Statutes 2009 Supplement, section 120B.023, subdivision 2, is  
2.32 amended to read:

2.33 Subd. 2. **Revisions and reviews required.** (a) The commissioner of education must  
2.34 revise and appropriately embed technology and information literacy standards consistent

with recommendations from school media specialists into the state's academic standards and graduation requirements and implement a review cycle for state academic standards and related benchmarks, consistent with this subdivision. During each review cycle, the commissioner also must examine the alignment of each required academic standard and related benchmark with the knowledge and skills students need for college readiness and advanced work in the particular subject area.

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

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

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

The commissioner also must ensure that the statewide mathematics assessments administered to students in grades 3 through 8 and 11 are aligned with the state academic standards in mathematics, consistent with section 120B.30, subdivision 1, paragraph

(b). The commissioner must implement a review of the academic standards and related benchmarks in mathematics beginning in the 2015-2016 school year.

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

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

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

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

(g) School districts and charter schools must revise and align local academic standards and high school graduation requirements in health, ~~physical education~~, world languages, and career and technical education to require students to complete the revised standards beginning in a school year determined by the school district or charter school. School districts and charter schools must formally establish a periodic review cycle for the academic standards and related benchmarks in health, ~~physical education~~, world languages, and career and technical education.

(h) The commissioner in the 2013-2014 school year and later must use the good cause exemption, consistent with section 14.388, subdivision 1, clause (3), to amend the rules governing state physical education standards to conform the state standards to changes in the standards developed by the National Association for Sport and Physical Education.

**EFFECTIVE DATE.** This section is effective the day following final enactment and applies to all school districts and charter schools beginning in the 2012-2013 school year and later, except that paragraph (h) applies beginning in the 2013-2014 school year and later. A school district or charter school may implement state physical education standards in an earlier school year than the 2012-2013 school year if it has adopted physical education standards equivalent to the standards developed by the National Association for Sport and Physical Education under section 4 on the effective date of this act, or if it is scheduled to undertake the periodic review of its local physical education standards under Minnesota Statutes, section 120B.023, subdivision 2, paragraph (g), in a school year before the 2012-2013 school year, it may implement state physical education standards consistent with section 4 in an earlier school year.

**Sec. 3. [121A.215] LOCAL SCHOOL DISTRICT WELLNESS POLICIES; WEB SITE.**

When available, a school district must post its current local school wellness policy on its Web site.

**EFFECTIVE DATE.** This section is effective August 1, 2010.

**Sec. 4. DEPARTMENT OF EDUCATION.**

5.1           Subdivision 1. **Recess guidelines.** The department is encouraged to develop  
5.2 guidelines that school districts can adopt that promote quality recess practices and  
5.3 behaviors that engage all students, increase their activity levels, build social skills, and  
5.4 decrease behavioral issues.

5.5           Subd. 2. **Common course catalogue.** The department is encouraged to include  
5.6 all physical education classes, district physical education standards, and local physical  
5.7 education graduation requirements that districts offer as part of the Minnesota common  
5.8 course catalogue.

5.9           Subd. 3. **Standards adoption.** Notwithstanding other laws to the contrary, the  
5.10 commissioner of education shall initially adopt statewide physical education standards  
5.11 using the expedited rulemaking process in Minnesota Statutes, section 14.389. The  
5.12 standards adopted must be identical to the standards developed by the National Association  
5.13 for Sport and Physical Education. The department must adopt the standards by December  
5.14 1, 2010. The revisor may make grammatical or other technical changes to conform the  
5.15 standards to the form in Minnesota Rule.

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

5.17           Sec. 5. **HEALTHY KIDS AWARDS PROGRAM.**

5.18           Subdivision 1. **Establishment.** The healthy kids awards program is established to  
5.19 motivate kindergarten through grade 12 students to become active by rewarding them for  
5.20 their nutritional well-being and physical activity. The program is an effort to integrate  
5.21 physical activity into nonphysical education classes, recess, and extracurricular activities  
5.22 throughout the day in addition to the physical and nutritional education received in  
5.23 physical education classes. Schools joining the program must commit to participate from  
5.24 October through May of each school year.

5.25           Subd. 2. **Commissioner of education.** The commissioner of education shall  
5.26 oversee the healthy kids awards program. The commissioner shall solicit letters of intent  
5.27 to participate in the healthy kids awards program from schools by September 15 of each  
5.28 school year. The commissioner shall award schools each month that have at least 75  
5.29 percent of students reaching the goal of being physically active for 60 minutes each day.  
5.30 Any time spent in physical education classes counts toward the time requirements of  
5.31 this program.

5.32           Subd. 3. **Incentives.** The commissioner shall seek outside sources of funding in  
5.33 order to create a monetary or other incentive to those schools being awarded.

- 6.1 **EFFECTIVE DATE.** This section is effective the day following final enactment
- 6.2 and applies beginning in the 2010-2011 school year and later.