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State of Minnesota
HOUSE OF REPRESENTATIVES

EIGHTY-NINTH SESSION

H. F. No. 498

02/02/2015 Authored by Dettmer, Urdahl, Moran, Norton, Ward and others
The bill was read for the first time and referred to the Committee on Education Innovation Policy

1.1 A bill for an act
1.2 relating to education; providing for physical education standards and benchmarks;
1.3 requiring assessments; amending graduation requirements; amending Minnesota
1.4 Statutes 2014, sections 120B.021, subdivisions 1, 3, 4; 120B.024, subdivision 1;
1.5 proposing coding for new law in Minnesota Statutes, chapter 120B.

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

1.7 Section 1. Minnesota Statutes 2014, section 120B.021, subdivision 1, is amended to
1.8 read:

1.9 Subdivision 1. **Required academic standards.** (a) The following subject areas
1.10 are required for statewide accountability:

1.11 (1) language arts;

1.12 (2) mathematics;

1.13 (3) science;

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

1.16 (5) physical education;

1.17 (6) health, for which locally developed academic standards apply; and

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

1.23 (b) For purposes of applicable federal law, the academic standards for language arts,
1.24 mathematics, and science apply to all public school students, except the very few students
1.25 with extreme cognitive or physical impairments for whom an individualized education

2.1 program team has determined that the required academic standards are inappropriate. An
 2.2 individualized education program team that makes this determination must establish
 2.3 alternative standards.

2.4 (c) The department must adopt the most recent National Association of Sport and
 2.5 Physical Education kindergarten through grade 12 standards and benchmarks for physical
 2.6 education as the required physical education academic standards. The department may
 2.7 modify and adapt the national standards to accommodate school district needs. The
 2.8 modification and adaptations must maintain the purpose and integrity of the national
 2.9 standards. The department must develop sample assessments for school districts to assess
 2.10 students' mastery of the physical education standards beginning in the 2017-2018 school
 2.11 year.

2.12 (e) (d) District efforts to develop, implement, or improve instruction or curriculum
 2.13 as a result of the provisions of this section must be consistent with sections 120B.10,
 2.14 120B.11, and 120B.20.

2.15 Sec. 2. Minnesota Statutes 2014, section 120B.021, subdivision 3, is amended to read:

2.16 Subd. 3. **Rulemaking.** The commissioner, consistent with the requirements of
 2.17 this section and section 120B.022, must adopt statewide rules under section 14.389 for
 2.18 implementing statewide rigorous core academic standards in language arts, mathematics,
 2.19 science, social studies, and the arts. After the rules authorized under this subdivision are
 2.20 initially adopted, the commissioner may not amend or repeal these rules nor adopt new
 2.21 rules on the same topic without specific legislative authorization. The academic standards
 2.22 for language arts, mathematics, and the arts must be implemented for all students
 2.23 beginning in the 2003-2004 school year. The academic standards for science and social
 2.24 studies must be implemented for all students beginning in the 2005-2006 school year. The
 2.25 academic standards and benchmarks for physical education must be implemented for all
 2.26 students beginning in the 2017-2018 school year.

2.27 Sec. 3. Minnesota Statutes 2014, section 120B.021, subdivision 4, is amended to read:

2.28 Subd. 4. **Revisions and reviews required.** (a) The commissioner of education must
 2.29 revise and appropriately embed technology and information literacy standards consistent
 2.30 with recommendations from school media specialists into the state's academic standards
 2.31 and graduation requirements and implement a ten-year cycle to review and, consistent
 2.32 with the review, revise state academic standards and related benchmarks, consistent with
 2.33 this subdivision. During each ten-year review and revision cycle, the commissioner also
 2.34 must examine the alignment of each required academic standard and related benchmark

3.1 with the knowledge and skills students need for career and college readiness and advanced
3.2 work in the particular subject area. The commissioner must include the contributions of
3.3 Minnesota American Indian tribes and communities as related to the academic standards
3.4 during the review and revision of the required academic standards.

3.5 (b) The commissioner must ensure that the statewide mathematics assessments
3.6 administered to students in grades 3 through 8 and 11 are aligned with the state academic
3.7 standards in mathematics, consistent with section 120B.30, subdivision 1, paragraph
3.8 (b). The commissioner must implement a review of the academic standards and related
3.9 benchmarks in mathematics beginning in the 2015-2016 school year and every ten years
3.10 thereafter.

3.11 (c) The commissioner must implement a review of the academic standards and related
3.12 benchmarks in arts beginning in the 2016-2017 school year and every ten years thereafter.

3.13 (d) The commissioner must implement a review of the academic standards and
3.14 related benchmarks in science beginning in the 2017-2018 school year and every ten
3.15 years thereafter.

3.16 (e) The commissioner must implement a review of the academic standards and
3.17 related benchmarks in language arts beginning in the 2018-2019 school year and every
3.18 ten years thereafter.

3.19 (f) The commissioner must implement a review of the academic standards and
3.20 related benchmarks in social studies beginning in the 2019-2020 school year and every
3.21 ten years thereafter.

3.22 (g) The commissioner must implement a review of the academic standards and
3.23 related benchmarks in physical education beginning in the 2024-2025 school year and
3.24 every ten years thereafter.

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

3.31 Sec. 4. Minnesota Statutes 2014, section 120B.024, subdivision 1, is amended to read:

3.32 Subdivision 1. **Graduation requirements.** Students beginning 9th grade in the
3.33 2011-2012 school year and later must successfully complete the following high school
3.34 level credits for graduation:

4.1 (1) four credits of language arts sufficient to satisfy all of the academic standards
4.2 in English language arts;

4.3 (2) three credits of mathematics, including an algebra II credit or its equivalent,
4.4 sufficient to satisfy all of the academic standards in mathematics;

4.5 (3) an algebra I credit by the end of 8th grade sufficient to satisfy all of the 8th
4.6 grade standards in mathematics;

4.7 (4) three credits of science, including at least one credit of biology, one credit of
4.8 chemistry or physics, and one elective credit of science. The combination of credits under
4.9 this clause must be sufficient to satisfy (i) all of the academic standards in either chemistry
4.10 or physics and (ii) all other academic standards in science;

4.11 (5) three and one-half credits of social studies, encompassing at least United States
4.12 history, geography, government and citizenship, world history, and economics sufficient
4.13 to satisfy all of the academic standards in social studies;

4.14 (6) one credit of the arts sufficient to satisfy all of the state or local academic
4.15 standards in the arts;

4.16 (7) two credits of physical education, for students beginning 9th grade in the
4.17 2017-2018 school year and later; and

4.18 ~~(7)~~ (8) a minimum of seven elective credits; or a minimum of five elective credits for
4.19 students beginning 9th grade in the 2017-2018 school year and later.

4.20 Sec. 5. **[120B.026] PHYSICAL EDUCATION.**

4.21 Subdivision 1. School requirements. (a) Beginning in the 2017-2018 school year,
4.22 a school district or charter school is required to conduct annual assessments of student
4.23 mastery of the standards and benchmarks adopted by the department in section 120B.021,
4.24 subdivision 1, paragraph (c) and report the assessment results to the department through
4.25 state reporting systems and publish the report in the local newspaper with the largest
4.26 circulation in the district, by mail, or by electronic means on the district's or school's
4.27 Web site. The report must include the number of minutes students spend per week in a
4.28 physical education class.

4.29 (b) A school district or charter school must regularly assess all students to
4.30 determine the attainment of physical education learning objectives, including student
4.31 improvement and knowledge gain, using the outcomes recommended by the National
4.32 Association of Sport and Physical Education. A school must integrate into the curriculum
4.33 developmentally appropriate health-related fitness testing as an instructional tool, except
4.34 in the early elementary grades, as determined by the commissioner. The testing must

5.1 be used by the school to teach students how to assess their fitness levels, set goals for
5.2 improvement, and monitor progress in reaching their goals.

5.3 Subd. 2. **Exclusion from class; recess.** A student may be excused from a
5.4 physical education class if being excused meets the child's unique and individualized
5.5 needs according to the child's individualized education program, federal 504 plan, or
5.6 individualized health plan. A student may be excused if a parent or guardian requests
5.7 an exemption on religious grounds. A student with a disability must be provided with
5.8 modifications or adaptations that allow physical education class to meet their needs. A
5.9 student must not be excluded from recess due to punishment or disciplinary action.

5.10 Subd. 3. **Teachers.** Physical education must be taught by highly qualified teachers
5.11 who are licensed to teach physical education. A physical education teacher shall be
5.12 adequately prepared and regularly participate in professional development activities that
5.13 will allow them to keep current on emerging technologies, model programs, and improved
5.14 teaching methods.