

1.1 **Senator Kelley from the Committee on Education, to which was referred**

1.2 **S.F. No. 3271:** A bill for an act relating to higher education; establishing a branch
1.3 campus of the University of Minnesota in Rochester; appropriating money; amending
1.4 Minnesota Statutes 2004, section 137.17, subdivisions 1, 3; repealing Minnesota Statutes
1.5 2004, section 137.17, subdivisions 2, 4.

1.6 Reports the same back with the recommendation that the bill be amended as follows:

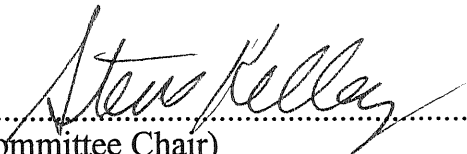
1.7 Page 1, line 12, delete everything after the period

1.8 Page 1, delete lines 13 to 15 and insert "The University of Minnesota should expand
1.9 higher education offerings in Rochester that it is uniquely qualified to provide. To the
1.10 extent possible, the Board of Regents should provide its offerings in partnership with
1.11 higher education institutions that already serve Rochester and the southeastern region of
1.12 Minnesota, and should avoid unnecessary duplicative offerings of courses and programs,
1.13 particularly in nursing and allied health programs."

1.14 Page 1, line 16, delete the new language

1.15 Page 2, line 18, after the period, insert "The funding base for activities related to
1.16 section 1 is \$5,000,000 for fiscal year 2008 and \$6,330,000 for fiscal year 2009."

1.17 And when so amended the bill do pass and be re-referred to the Committee on
1.18 Finance. Amendments adopted. Report adopted.

1.19 
1.20 (Committee Chair)

1.21 March 28, 2006
1.22 (Date of Committee recommendation)

1.1 Senator moves to amend S. F. No. 3271 as follows:

1.2 Page 2, line 18, after the period, insert "The funding base for activities related to
1.3 section 1 is \$5,000,000 for fiscal year 2008 and \$6,330,000 for fiscal year 2009."

1.1 Senator moves to amend S.F. No. 3271 as follows:

1.2 Page 1, line 12, delete everything after the period

1.3 Page 1, delete lines 13 to 15, and insert "The University of Minnesota should expand
1.4 higher education offerings in Rochester that it is uniquely qualified to provide. To the
1.5 extent possible, the Board of Regents should provide its offerings in partnership with
1.6 higher education institutions that already serve Rochester and the southeastern region of
1.7 Minnesota, and should avoid duplicative offerings of courses and programs, particularly in
1.8 nursing and allied health programs."

1.9 Page 1, line 16, delete the new language

1.1 Senator moves to amend S.F. No. 3412 as follows:

1.2 Page 2, line 10, after "grade" insert "9 or"

1.3 Page 2, line 18, after the period, insert "Upon request of the superintendent of the
1.4 school district where the nonpublic school is located, "

1.5 Page 2, line 19, strike "annually"

1.6 Page 10, line 25, delete "mounting height" and insert "cushion depth"

- 1.1 Senator moves to amend S.F. No. 3412 as follows:
- 1.2 Page 10, delete section 11
- 1.3 Renumber the sections in sequence and correct the internal references
- 1.4 Amend the title accordingly

Education Committee

3/28

Witness Sign-In

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Senators Kiscaden, Pappas, Kelley, Pogemiller and Stumpf introduced—
S.F. No. 3271: Referred to the Committee on Education.

A bill for an act
relating to higher education; establishing a branch campus of the University of
Minnesota in Rochester; appropriating money; amending Minnesota Statutes
2004, section 137.17, subdivisions 1, 3; repealing Minnesota Statutes 2004,
section 137.17, subdivisions 2, 4.

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

Section 1. Minnesota Statutes 2004, section 137.17, subdivision 1, is amended to read:

Subdivision 1. **Establish.** The Board of Regents may establish a ~~school of~~
~~professional and graduate studies as a nonresidential~~ branch campus of the University of
Minnesota; in Rochester, to serve the educational needs of working adults and other
~~nontraditional students in southeastern Minnesota~~ and to foster the economic goals of the
region and the state. The legislature intends that the University of Minnesota expand higher
education offerings in Rochester. It is the intent of the legislature that this be achieved
in part by developing new and strengthening existing partnerships with higher education
institutions in Rochester and the region in which the state already has a significant
investment. The campus shall be a joint partnership of the University of Minnesota with
~~Rochester Community and Technical College, and Winona State University.~~

~~The Board of Trustees of the Minnesota State Colleges and Universities shall~~
~~cooperate to achieve the foregoing.~~

Sec. 2. Minnesota Statutes 2004, section 137.17, subdivision 3, is amended to read:

Subd. 3. **Missions.** The legislature intends that the mission of the expanded
education offerings in Rochester be congruent with the university's unique core mission of
teaching, research, and outreach in order to support the educational needs and economic
development of this region and the state. The legislature recognizes that the distinctiveness

2.1 of each of the ~~partner~~ higher education institutions in Rochester must be maintained to
2.2 achieve success in serving the higher education needs of the community and the economic
2.3 goals of the state. ~~Further, the legislature intends that the University of Minnesota and the~~
2.4 ~~other partner institutions avoid duplicative offerings of courses and programs. Therefore,~~
2.5 ~~the University of Minnesota, Winona State University, and Rochester Community and~~
2.6 ~~Technical College shall develop jointly a statement of missions, roles, and responsibilities~~
2.7 ~~for the programs and services at Rochester which shall be submitted to the legislature by~~
2.8 ~~January 30, 2000, and any time thereafter that the missions, roles, and responsibilities~~
2.9 ~~change.~~

2.10 Sec. 3. **APPROPRIATION.**

2.11 \$5,000,000 is appropriated from the general fund for fiscal year 2007 to the Board of
2.12 Regents of the University of Minnesota for the purposes of section 1. This appropriation
2.13 is for academic programs supporting the University of Minnesota - Rochester, including
2.14 faculty, staff, and program planning and development in the areas of biomedical
2.15 technologies, engineering and computer technologies, health care administration, and
2.16 allied health programs; ongoing operations of industrial liaison activities; and operation
2.17 of leased facilities. This appropriation is in addition to the appropriation in Laws 2005,
2.18 chapter 107, article 1, section 4, subdivision 2.

2.19 Sec. 4. **REPEALER.**

2.20 Minnesota Statutes 2004, section 137.17, subdivisions 2 and 4, are repealed.

APPENDIX

Repealed Minnesota Statutes: 06-6958

137.17 ROCHESTER BRANCH.

Subd. 2. **Leadership.** The legislature intends that the Rochester branch strengthen the existing partnership of institutions in Rochester by providing better coordination and leadership in serving the needs of the region, while maintaining a cooperative basis among the institutions. The University of Minnesota is expected to take the leadership role in assessing community needs and facilitating the delivery of upper division and graduate academic programming and student services by existing higher education providers. It is the intent of the legislature that this branch not diminish the role or function of existing higher education institutions in Rochester or elsewhere in the region in which the state already has a significant investment.

Subd. 4. **Changes.** Major changes in the missions, programs, services or roles of the partner institutions shall be made in full consultation with the partner institutions and the systems.

Senators Day; Johnson, D.E.; Tomassoni and Kelley introduced-

S.F. No. 2610: Referred to the Committee on Education.

A bill for an act relating to education; modifying interpreter requirements for deaf students; amending Minnesota Statutes 2004, section 122A.31, subdivision 1, by adding a subdivision.

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

Section 1. Minnesota Statutes 2004, section 122A.31, subdivision 1, is amended to read:

Subdivision 1. **Requirements for American sign language/English interpreters.**

(a) Except as provided under subdivision 1a and in addition to any other requirements that a school district establishes, any person employed to provide American sign language/English interpreting or sign transliterating services on a full-time or part-time basis for a school district after July 1, 2000, must:

(1) hold current interpreter and transliterator certificates awarded by the Registry of Interpreters for the Deaf (RID), or the general level interpreter proficiency certificate awarded by the National Association of the Deaf (NAD), or a comparable state certification from the commissioner of education; and

(2) satisfactorily complete an interpreter/transliterator training program affiliated with an accredited educational institution.

(b) New graduates of an interpreter/transliterator program affiliated with an accredited education institution shall be granted a two-year provisional certificate by the commissioner. During the two-year provisional period, the interpreter/transliterator must develop and implement an education plan in collaboration with a mentor under paragraph (c).

2.1 (c) A mentor of a provisionally certified interpreter/transliterater must be an
 2.2 interpreter/transliterater who has either NAD level IV or V certification or RID
 2.3 certified interpreter and certified transliterater certification and have at least three
 2.4 years interpreting/transliterating experience in any educational setting. The mentor, in
 2.5 collaboration with the provisionally certified interpreter/transliterater, shall develop and
 2.6 implement an education plan designed to meet the requirements of paragraph (a), clause
 2.7 (1), and include a weekly on-site mentoring process.

2.8 (d) Consistent with the requirements of this paragraph, a person holding a
 2.9 provisional certificate may apply to the commissioner for one time-limited extension. The
 2.10 commissioner, in consultation with the Commission Serving Deaf and Hard-of-Hearing
 2.11 People, must grant the person a time-limited extension of the provisional certificate based
 2.12 on the following documentation:

2.13 (1) letters of support from the person’s mentor, a parent of a pupil the person serves,
 2.14 the special education director of the district in which the person is employed, and a
 2.15 representative from the regional service center of the deaf and hard-of-hearing;

2.16 (2) records of the person’s formal education, training, experience, and progress on
 2.17 the person’s education plan; and

2.18 (3) an explanation of why the extension is needed.

2.19 As a condition of receiving the extension, the person must comply with a plan
 2.20 and the accompanying time line for meeting the requirements of this subdivision. A
 2.21 committee composed of the director of the Minnesota Resource Center Serving Deaf and
 2.22 Hard-of-Hearing, or the director’s designee, a representative of the Minnesota Association
 2.23 of Deaf Citizens, a representative of the Minnesota Registry of Interpreters of the Deaf,
 2.24 and other appropriate persons selected by the commissioner must develop the plan and
 2.25 time line for the person receiving the extension.

2.26 (e) A school district may employ ~~only~~ an interpreter/transliterater who has been
 2.27 certified under paragraph (a) or (b), or for whom a time-limited extension has been
 2.28 granted under paragraph (d), or a person qualified as an interpreter/transliterater under
 2.29 subdivision 1a.

2.30 **EFFECTIVE DATE.** This section is effective for the 2006-2007 school year and
 2.31 later.

2.32 Sec. 2. Minnesota Statutes 2004, section 122A.31, is amended by adding a subdivision
 2.33 to read:

2.34 **Subd. 1a. Qualified deaf and hard-of-hearing interpreters/transliteraters. In**
 2.35 **addition to employing a qualified interpreter/transliterater under subdivision 1, a school**

3.1 district or charter school also may employ as an interpreter/transliterator a person who is
3.2 deaf or hard of hearing and holds a current reverse skills certificate (RSC) or a certified
3.3 deaf interpreter (CDI) certificate awarded by the Registry of Interpreters for the Deaf
3.4 (RID). The qualified deaf or hard-of-hearing person must be able to interpret between
3.5 American sign language and English-based sign language or transliterate between spoken
3.6 English and a signed code for English. The district or charter school may employ a
3.7 qualified person under this subdivision for a broad range of interpreting or transliterating
3.8 assignments.

3.9 **EFFECTIVE DATE.** This section is effective for the 2006-2007 school year and
3.10 later.

Senator Saxhaug introduced-

S.F. No. 3111: Referred to the Committee on Education.

A bill for an act relating to education; modifying the Online Learning Option Act; amending Minnesota Statutes 2004, sections 124D.095, subdivisions 3, 7; 124D.096; Minnesota Statutes 2005 Supplement, section 124D.095, subdivisions 4, 8.

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

Section 1. Minnesota Statutes 2004, section 124D.095, subdivision 3, is amended to read:

Subd. 3. **Authorization; notice; limitations on enrollment.** (a) A student may apply to an on-line learning provider to enroll in on-line learning. A student age 17 or younger must have the written consent of a parent or guardian to apply. No school district or charter school may prohibit a student from applying to enroll in on-line learning. ~~An on-line learning provider that accepts a student under this section must, within ten days, notify the student and the enrolling district if the enrolling district is not the on-line learning provider. The notice must report the student's course or program and hours of instruction.~~ An online learning provider must comply with the application and notification procedures and timelines under section 124D.03, subdivisions 3, 4, 5, 6, and 7.

(b) ~~An on-line learning student must notify the enrolling district at least 30 days before taking an on-line learning course or program if the enrolling district is not providing the on-line learning.~~ An on-line learning provider must notify the commissioner that it is delivering on-line learning and report the number of on-line learning students it is accepting and the on-line learning courses and programs it is delivering.

(c) An on-line learning provider may limit enrollment if the provider's school board or board of directors adopts by resolution specific standards for accepting and rejecting students' applications.

2.1 (d) An enrolling district may reduce an on-line learning student's regular classroom
2.2 instructional membership in proportion to the student's membership in on-line learning
2.3 courses.

2.4 (e) Online enrollments after the commencement of any school year shall not result in
2.5 reduction of the enrolling school district's general education revenue for that school year.

2.6 Sec. 2. Minnesota Statutes 2005 Supplement, section 124D.095, subdivision 4, is
2.7 amended to read:

2.8 Subd. 4. **Online learning parameters.** (a) An online learning student must receive
2.9 academic credit for completing the requirements of an online learning course or program.
2.10 Secondary credits granted to an online learning student must be counted toward the
2.11 graduation and credit requirements of the enrolling district, provided the enrolling district
2.12 has had the opportunity to review the course syllabus, course content, performance
2.13 requirements, and evaluation criteria of the online course prior to the enrolling district's
2.14 student enrollment in the online provider's course. The enrolling district must apply the
2.15 same graduation requirements to all students, including online learning students, and
2.16 must continue to provide nonacademic services to online learning students. If a student
2.17 completes an online learning course or program that meets or exceeds a graduation
2.18 standard or grade progression requirement at the enrolling district, that standard or
2.19 requirement is met. Course completion is evidenced by the student's transcript showing
2.20 a passing grade and the amount of credit the student has earned. The enrolling district
2.21 must use the same criteria for accepting online learning credits or courses as it does for
2.22 accepting credits or courses for transfer students under section 124D.03, subdivision 9.
2.23 The enrolling district may reduce the teacher contact time of an online learning student
2.24 in proportion to the number of online learning courses the student takes from an online
2.25 learning provider that is not the enrolling district. The reduction in teacher contact time
2.26 can only be made if such a reduction does not result in reduction of salary or benefits,
2.27 unless the reduction in contact time is made according to section 122A.40 or 122A.41.

2.28 (b) An online learning student may:

2.29 (1) enroll during a single school year in a maximum of 12 semester-long courses or
2.30 their equivalent delivered by an online learning provider or the enrolling district;

2.31 (2) complete course work at a grade level that is different from the student's current
2.32 grade level; and

2.33 (3) enroll in additional courses with the online learning provider under a separate
2.34 agreement that includes terms for payment of any tuition or course fees.

3.1 (c) A student with a disability may enroll in an online learning course or program
 3.2 if the student's IEP team determines that online learning is appropriate education for
 3 the student.

3.4 (d) An online learning student has the same access to the computer hardware and
 3.5 education software available in a school as all other students in the enrolling district. An
 3.6 online learning provider must assist an online learning student whose family qualifies
 3.7 for the education tax credit under section 290.0674 to acquire computer hardware and
 3.8 educational software for online learning purposes.

3.9 (e) An enrolling district may offer online learning to its enrolled students. Such
 3.10 online learning does not generate online learning funds under this section. An enrolling
 3.11 district that offers online learning only to its enrolled students is not subject to the
 3.12 reporting requirements or review criteria under subdivision 7. A teacher with a Minnesota
 3.13 license must assemble and deliver instruction to enrolled students receiving online
 3.14 learning from an enrolling district. The delivery of instruction occurs when the student
 3.15 interacts with the computer or the teacher and receives ongoing assistance and assessment
 3.16 of learning. The instruction may include curriculum developed by persons other than a
 3.17 teacher with a Minnesota license.

3.18 (f) An online learning provider that is not the enrolling district is subject to the
 3.19 reporting requirements and review criteria under subdivision 7. A teacher with a
 3.20 Minnesota license must assemble and deliver instruction to online learning students. The
 3.21 delivery of instruction occurs when the student interacts with the computer or the teacher
 3.22 and receives ongoing assistance and assessment of learning. The instruction may include
 3.23 curriculum developed by persons other than a teacher with a Minnesota license. Unless
 3.24 the commissioner grants a waiver, a teacher providing online learning instruction must not
 3.25 instruct more than 40 students in any one online learning course or program.

3.26 Sec. 3. Minnesota Statutes 2004, section 124D.095, subdivision 7, is amended to read:

3.27 **Subd. 7. Department of Education.** (a) The department must review and
 3.28 certify on-line learning providers. The on-line learning courses and programs must be
 3.29 rigorous, aligned with state academic standards, and contribute to grade progression in a
 3.30 single subject. On-line learning providers must ~~affirm~~ demonstrate to the commissioner
 3.31 that on-line learning courses have equivalent standards or instruction, curriculum, and
 3.32 assessment requirements as other courses offered to enrolled students. The enrolled
 3.33 student's enrolling district must validate the provider's analysis of the online learning
 3.34 course. The on-line learning provider must also demonstrate expectations for actual
 3.35 teacher contact time or other student-to-teacher communication. ~~Once an on-line learning~~

4.1 ~~provider is approved under this paragraph, all of its on-line learning course offerings are~~
 4.2 ~~eligible for payment under this section unless a course is successfully challenged by an~~
 4.3 ~~enrolling district or the department under paragraph (b).~~

4.4 (b) An enrolling district may challenge the validity of a course offered by an on-line
 4.5 learning provider. ~~The department must review such challenges based on the certification~~
 4.6 ~~procedures under paragraph (a). The department may initiate its own review of the validity~~
 4.7 ~~of an on-line learning course offered by an on-line learning provider. The online provider~~
 4.8 ~~shall respond to enrolling district challenges within 30 days of receiving the enrolling~~
 4.9 ~~district's challenge. The online provider may refer the challenge and the online provider's~~
 4.10 ~~response to the enrolling district's school board for final determination of course validity.~~
 4.11 Local school board decisions may be appealed to the commissioner by the online provider.

4.12 (c) ~~The department may collect a fee not to exceed \$250 for certifying on-line~~
 4.13 ~~learning providers or \$50 per course for reviewing a challenge by an enrolling district.~~

4.14 (d) The department must develop, publish, and maintain a list of approved on-line
 4.15 learning providers and on-line learning courses and programs that it has reviewed and
 4.16 certified.

4.17 Sec. 4. Minnesota Statutes 2005 Supplement, section 124D.095, subdivision 8, is
 4.18 amended to read:

4.19 Subd. 8. **Financial arrangements.** (a) For a student enrolled in an online learning
 4.20 course, the department must calculate average daily membership and make payments
 4.21 according to this subdivision.

4.22 (b) The initial online learning average daily membership equals 1/12 for each
 4.23 semester course or a proportionate amount for courses of different lengths. The adjusted
 4.24 online learning average daily membership equals the initial online learning average daily
 4.25 membership times .88.

4.26 (c) No online learning average daily membership shall be generated if: (1) the
 4.27 student does not complete the online learning course as evidenced by the enrolling
 4.28 district's recognition of the course, student receiving a passing grade, and specification of
 4.29 credit earned, or (2) the student is enrolled in online learning provided by the enrolling
 4.30 district, or (3) the enrolling district average daily membership calculation for the enrolling
 4.31 student equals the general education revenue available.

4.32 (d) Online learning average daily membership under this subdivision for a student
 4.33 currently enrolled in a Minnesota public school shall be used only for computing average
 4.34 daily membership according to section 126C.05, subdivision 19, paragraph (a), clause (ii),
 4.35 and for computing online learning aid according to section 124D.096.

5.1 Sec. 5. Minnesota Statutes 2004, section 124D.096, is amended to read:

5.2 **124D.096 ON-LINE LEARNING AID.**

5.3 (a) The on-line learning aid for an on-line learning provider equals the product
5.4 of the adjusted on-line learning average daily membership for students under section
5.5 124D.095, subdivision 8, paragraph (d), times the student grade level weighting under
5.6 section 126C.05, subdivision 1, times the formula allowance.

5.7 (b) Notwithstanding section 127A.45, the department must pay each on-line learning
5.8 provider 80 percent of the amount in paragraph (a) within 45 days of receiving final
5.9 enrollment and course completion information each quarter or semester. A final payment
5.10 equal to 20 percent of the amount in paragraph (a) must be made on September 30 of
5.11 the next fiscal year.

5.12 (c) In those instances where student adjusted average daily membership exceeds
5.13 general education formula revenue available, the enrolling district shall be paid according
5.14 to its reported adjusted average daily membership prior to payment being made to the
5.15 online learning provider.

Senators Tomassoni, Kelley, Pogemiller and Michel introduced—
S.F. No. 2585: Referred to the Committee on Education.

1 A bill for an act
1.2 relating to education; providing for health and physical education requirements;
1.3 amending Minnesota Statutes 2004, sections 120B.021, subdivision 1; 120B.024.

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

1.5 Section 1. Minnesota Statutes 2004, section 120B.021, subdivision 1, is amended to
1.6 read:

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

1.9 (1) language arts;

1.10 (2) mathematics;

1.11 (3) science;

1.12 (4) social studies, including history, geography, economics, and government and
1.13 citizenship;

1.14 (5) health and physical education, for which locally developed academic standards
1.15 apply; and

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

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

1.23 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

2.1 with extreme cognitive or physical impairments for whom an individualized education
2.2 plan team has determined that the required academic standards are inappropriate.

2.3 An individualized education plan team that makes this determination must establish
2.4 alternative standards.

2.5 A school district, no later than the 2007-2008 school year, must adopt graduation
2.6 requirements that meet or exceed state graduation requirements established in law or
2.7 rule. A school district that incorporates these state graduation requirements before the
2.8 2007-2008 school year must provide students who enter the 9th grade in or before
2.9 the 2003-2004 school year the opportunity to earn a diploma based on existing locally
2.10 established graduation requirements in effect when the students entered the 9th grade.
2.11 District efforts to develop, implement, or improve instruction or curriculum as a result
2.12 of the provisions of this section must be consistent with sections 120B.10, 120B.11,
2.13 and 120B.20.

2.14 At a minimum, school districts must maintain the same physical education and
2.15 health education requirements for students in kindergarten through grade 6 adopted for the
2.16 2005-2006 school year through the 2008-2009 school year. Before a revision of the local
2.17 health and physical education standards, a school district must consult the grade-specific
2.18 benchmarks developed by the Department of Education's health and physical education
2.19 quality teaching network for the six national physical education standards and the seven
2.20 national health standards.

2.21 Sec. 2. Minnesota Statutes 2004, section 120B.024, is amended to read:

2.22 **120B.024 GRADUATION REQUIREMENTS; COURSE CREDITS.**

2.23 Students beginning 9th grade in the 2004-2005 school year and later must
2.24 successfully complete the following high school level course credits for graduation:

2.25 (1) four credits of language arts;

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

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

2.29 (4) three and one-half credits of social studies, encompassing at least United
2.30 States history, geography, government and citizenship, world history, and economics or
2.31 three credits of social studies encompassing at least United States history, geography,
2.32 government and citizenship, and world history, and one-half credit of economics taught in
2.33 a school's social studies or business department;

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

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

- 3.1 (7) a minimum of ~~seven~~ six elective course credits.
- 3.2 A course credit is equivalent to a student successfully completing an academic year of study or a student mastering the applicable subject matter, as determined by the
- 3.4 local school district.

Senators Stumpf and Kelley introduced—

S.F. No. 3489: Referred to the Committee on Education.

A resolution

1.2 memorializing the Congress of the United States to repeal the No Child Left Behind
1.3 requirements in the schools.

1.4 WHEREAS, although the intent of the No Child Left Behind Act is honorable, flexibility
1.5 and modifications are necessary; and

1.6 WHEREAS, federal funds to administer the requirements of No Child Left Behind have
1.7 fallen short of the amount promised when No Child Left Behind was passed and continue to fall
1.8 short according to the Minnesota Legislative Auditor's March 2004 report; and

1.9 WHEREAS, in small, rural, and isolated districts and in special purpose schools, the
1.10 requirement on teachers and paraprofessionals to be "highly qualified" is unfair and impracticable;
1.11 and

1.12 WHEREAS, the requirement of states to identify a school as not making adequate yearly
1.13 progress due solely to a subgroup of students with disabilities not testing at a proficient level
1.14 is unreasonable; and

1.15 WHEREAS, No Child Left Behind should allow states to identify a school as not making
1.16 adequate yearly progress after the school has missed the adequate yearly progress targets in the
1.17 same subject and subgroup for two consecutive years; and

1.18 WHEREAS, No Child Left Behind should allow for states to develop a plan for determining
1.19 adequate yearly progress that uses multiple measures of student achievement that incorporate
1.20 value-added measurement of student achievement in addition to standardized test results to
1.21 evaluate school and student performance; and

2.1 WHEREAS, states should be allowed to use No Child Left Behind money to provide
 2.2 supplemental education services only in the academic subject area that causes a school to miss
 2.3 adequate yearly progress; and

2.4 WHEREAS, although the Minnesota commissioner of education has repeatedly sought
 2.5 waivers to help to modify No Child Left Behind, the federal Department of Education has not
 2.6 approved a sufficient number of waivers; and

2.7 WHEREAS, No Child Left Behind represents a federal intrusion into state and local control
 2.8 of education, which violates time-honored American principles of balanced federalism and
 2.9 respect for state and local prerogatives; and

2.10 WHEREAS, No Child Left Behind may violate the Tenth Amendment of the United States
 2.11 Constitution, which restricts the powers of the federal government to those so delegated by the
 2.12 United States Constitution and reserves powers not delegated to the federal government, such as
 2.13 education, to the states and the people;

2.14 WHEREAS, Congress will be reauthorizing the federal Elementary and Secondary
 2.15 Education Act in 2007; NOW, THEREFORE,

2.16 BE IT RESOLVED by the Legislature of the State of Minnesota that it urges the President
 2.17 and the Congress of the United States to repeal the requirements of No Child Left Behind on
 2.18 our nation's schools.

2.19 BE IT FURTHER RESOLVED that the Secretary of State of the State of Minnesota is
 2.20 directed to prepare copies of this memorial and transmit them to the President of the United States,
 2.21 the President and the Secretary of the United States Senate, the Speaker and the Clerk of the United
 2.22 States House of Representatives, and Minnesota's Senators and Representatives in Congress.

Senators Stumpf, Kelley and Hottinger introduced—

S.F. No. 3588: Referred to the Committee on Education.

A bill for an act

relating to education; establishing a pilot program to use child-relevant American sign language to facilitate young children’s development of second language learning and stronger literacy and verbal skills; appropriating money.

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

Section 1. PILOT PROGRAM TO FACILITATE YOUNG CHILDREN’S SECOND LANGUAGE LEARNING AND STRONGER LITERACY AND VERBAL SKILLS.

(a) A pilot program for fiscal year 2007 is established to allow school districts to use child-relevant American sign language to encourage children in kindergarten through third grade to learn a second language and develop stronger literacy and verbal skills and better classroom attention. School districts that have (i) child care centers or Head Start classrooms, (ii) English language learners, foreign language classrooms or language immersion programs, (iii) resident families with internationally adopted children or (iv) classrooms in which children with special needs are served may apply to the education commissioner, in the form and manner the commissioner determines, for a pilot program grant. School districts that receive a grant under this section must use the grant to train education staff who work with children in kindergarten through grade three, including at least classroom teachers, teachers’ assistants, ESL teachers and special education teachers, to use 600 child-relevant signs in sign language to help hearing students acquire vocabulary quickly and easily, become better problem solvers, creative thinkers and communicators and better prepared academically, and to use effective strategies to incorporate sign language into classroom instruction.

2.1 (b) The commissioner may awards grants to qualified school districts on a
2.2 first-come-first-served basis to allow training for 1000 education staff under this section.

2.3 (c) The commissioner shall provide for an independent evaluation of the efficacy
2.4 of the pilot program under this section and shall recommend to the education policy and
2.5 finance committees of the legislature by February 15, 2008, whether or not the program
2.6 should be continued and expanded.

2.7 **EFFECTIVE DATE.** This section is effective for the 2006-2007 school year and
2.8 later.

2.9 Sec. 2. **APPROPRIATION.**

2.10 \$225,000 is appropriated from the general fund in fiscal year 2007 to the education
2.11 commissioner to contract with a qualified provider for the pilot program to train
2.12 education staff to use child-relevant American sign language to facilitate young children's
2.13 development of second language learning and stronger literacy and verbal skills under
2.14 section 1. Of this appropriation, \$150,000 is for actual training costs, \$35,000 is for
2.15 an independent evaluation of the efficacy of the pilot program and \$40,000 is for
2.16 administrative and marketing costs incurred by the education department.

2.17 **EFFECTIVE DATE.** This section is effective July 1, 2006.

Senators Pappas, Kelley, Marko, Kiscaden and Kierlin introduced--
S.F. No. 2977: Referred to the Committee on Education.

A bill for an act

relating to education; providing for comprehensive family life and sexuality
education programs; proposing coding for new law in Minnesota Statutes,
chapter 121A; repealing Minnesota Statutes 2004, section 121A.23.

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

Section 1. [121A.231] COMPREHENSIVE FAMILY LIFE AND SEXUALITY
EDUCATION PROGRAMS.

Subdivision 1. Definitions. (a) "Comprehensive family life and sexuality education"
means education in grades 7 through 12 that:

(1) respects community values and encourages family communication;

(2) develops skills in communication, decision making, and conflict resolution;

(3) contributes to healthy relationships;

(4) provides human development and sexuality education that is age appropriate
and medically accurate;

(5) includes an abstinence-first approach to delaying initiation of sexual activity that
emphasizes abstinence while also including education about the use of protection and
contraception; and

(6) promotes individual responsibility.

(b) "Age appropriate" refers to topics, messages, and teaching methods suitable to
particular ages or age groups of children and adolescents, based on developing cognitive,
emotional, and behavioral capacity typical for the age or age group.

(c) "Medically accurate" means verified or supported by research conducted in
compliance with scientific methods and published in peer-reviewed journals, where
appropriate, and recognized as accurate and objective by professional organizations

2.1 and agencies in the relevant field, such as the federal Centers for Disease Control
2.2 and Prevention, the American Public Health Association, the American Academy of
2.3 Pediatrics, or the American College of Obstetricians and Gynecologists.

2.4 Subd. 2. Curriculum requirements. (a) A school district may offer and may
2.5 independently establish policies, procedures, curriculum, and services for providing
2.6 comprehensive family life and sexuality education that is age appropriate and medically
2.7 accurate for kindergarten through grade 6.

2.8 (b) A school district must offer and may independently establish policies, procedures,
2.9 curriculum, and services for providing comprehensive family life and sexuality education
2.10 that is age appropriate and medically accurate for grades 7 through 12.

2.11 Subd. 3. Notice and parental options. (a) It is the legislature's intent to encourage
2.12 pupils to communicate with their parents or guardians about human sexuality and to respect
2.13 rights of parents or guardians to supervise their children's education on these subjects.

2.14 (b) Parents or guardians may excuse their children from all or part of a
2.15 comprehensive family life and sexuality education program.

2.16 (c) A school district must establish policies and procedures for providing parents or
2.17 guardians reasonable notice with the following information:

2.18 (1) if the district is offering a comprehensive family life and sexuality education
2.19 program to the parents' or guardians' child during the course of the year;

2.20 (2) how the parents or guardians may inspect the written and audio/visual
2.21 educational materials used in the program and the process for inspection;

2.22 (3) if the program is presented by school district personnel or outside consultants,
2.23 and if outside consultants are used, who they may be; and

2.24 (4) parents' or guardians' right to choose not to have their child participate in the
2.25 program and the procedure for exercising that right.

2.26 (d) A school district must establish policies and procedures for reasonably restricting
2.27 the availability of written and audio/visual educational materials from public view of
2.28 students who have been excused from all or part of a comprehensive family life and
2.29 sexuality education program at the request of a parent or guardian.

2.30 Subd. 4. Assistance to school districts. (a) The Department of Education may
2.31 offer services to school districts to help them implement effective comprehensive family
2.32 life and sexuality education programs. In providing these services, the department may
2.33 contract with a school district, or a school district in partnership with a local health agency
2.34 or a nonprofit organization, to establish up to eight regional training sites, taking into
2.35 account geographical balance, to provide:

3.1 (1) training for teachers, parents, and community members in the development of
3.2 comprehensive family life and sexuality education curriculum or services and in planning
3.3 for monitoring and evaluation activities;

3.4 (2) resource staff persons to provide expert training, curriculum development and
3.5 implementation, and evaluation services;

3.6 (3) technical assistance to promote and coordinate community, parent, and youth
3.7 forums in communities identified as having high needs for comprehensive family life
3.8 and sexuality education;

3.9 (4) technical assistance for issue management and policy development training for
3.10 school boards, superintendents, principals, and administrators across the state; and

3.11 (5) funding for grants to school-based comprehensive family life and sexuality
3.12 education programs to promote innovation and to recognize outstanding performance and
promote replication of demonstrably effective strategies.

3.14 (b) Technical assistance provided by the department to school districts or regional
3.15 training sites may:

3.16 (1) promote instruction and use of materials that are age appropriate;

3.17 (2) provide information that is medically accurate and objective;

3.18 (3) provide instruction and promote use of materials that are respectful of marriage
3.19 and commitments in relationships;

3.20 (4) provide instruction and promote use of materials that are appropriate for use
3.21 with pupils and family experiences based on race, gender, sexual orientation, ethnic
3.22 and cultural background, and appropriately accommodate alternative learning based on
3.23 language or disability;

3.24 (5) provide instruction and promote use of materials that encourage pupils to
3.25 communicate with their parents or guardians about human sexuality;

3.26 (6) provide instruction and promote use of age-appropriate materials that teach
3.27 abstinence from sexual intercourse as the only certain way to prevent unintended
3.28 pregnancy or sexually transmitted infections, including HIV, and provide information
3.29 about the role and value of abstinence while also providing medically accurate information
3.30 on other methods of preventing and reducing risk for unintended pregnancy and sexually
3.31 transmitted infections;

3.32 (7) provide instruction and promote use of age-appropriate materials that are
3.33 medically accurate in explaining transmission modes, risks, symptoms, and treatments for
4 sexually transmitted infections, including HIV;

4.1 (8) provide instruction and promote use of age-appropriate materials that address
4.2 varied societal views on sexuality, sexual behaviors, pregnancy, and sexually transmitted
4.3 infections, including HIV, in an age-appropriate manner;

4.4 (9) provide instruction and promote use of age-appropriate materials that provide
4.5 information about the effectiveness and safety of all FDA-approved methods for
4.6 preventing and reducing risk for unintended pregnancy and sexually transmitted
4.7 infections, including HIV;

4.8 (10) provide instruction and promote use of age-appropriate materials that provide
4.9 instruction in skills for making and implementing responsible decisions about sexuality;

4.10 (11) provide instruction and promote use of age-appropriate materials that provide
4.11 instruction in skills for making and implementing responsible decisions about finding and
4.12 using health services; and

4.13 (12) provide instruction and promote use of age-appropriate materials that do not
4.14 teach or promote religious doctrine nor reflect or promote bias against any person on the
4.15 basis of any category protected under the Minnesota Human Rights Act, chapter 363A.

4.16 **Sec. 2. REPEALER.**

4.17 Minnesota Statutes 2004, section 121A.23, is repealed.

121A.23 PROGRAMS TO PREVENT AND REDUCE THE RISKS OF SEXUALLY TRANSMITTED INFECTIONS AND DISEASES.

Subdivision 1. Sexually transmitted infections and diseases program. The commissioner of education, in consultation with the commissioner of health, shall assist districts in developing and implementing a program to prevent and reduce the risk of sexually transmitted infections and diseases, including but not exclusive to human immune deficiency virus and human papilloma virus. Each district must have a program that includes at least:

- (1) planning materials, guidelines, and other technically accurate and updated information;
- (2) a comprehensive, technically accurate, and updated curriculum that includes helping students to abstain from sexual activity until marriage;
- (3) cooperation and coordination among districts and SCs;
- (4) a targeting of adolescents, especially those who may be at high risk of contracting sexually transmitted infections and diseases, for prevention efforts;
- (5) involvement of parents and other community members;
- (6) in-service training for appropriate district staff and school board members;
- (7) collaboration with state agencies and organizations having a sexually transmitted infection and disease prevention or sexually transmitted infection and disease risk reduction program;
- (8) collaboration with local community health services, agencies and organizations having a sexually transmitted infection and disease prevention or sexually transmitted infection and disease risk reduction program; and
- (9) participation by state and local student organizations.

The department may provide assistance at a neutral site to a nonpublic school participating in a district's program. District programs must not conflict with the health and wellness curriculum developed under Laws 1987, chapter 398, article 5, section 2, subdivision 7.

If a district fails to develop and implement a program to prevent and reduce the risk of sexually transmitted infection and disease, the department must assist the service cooperative in the region serving that district to develop or implement the program.

Subd. 2. Funding sources. Districts may accept funds for sexually transmitted infection and disease prevention programs developed and implemented under this section from public and private sources including public health funds and foundations, department professional development funds, federal block grants or other federal or state grants.

Senators Clark, Dille, Kelley, Stumpf and Hann introduced-
S.F. No. 2826: Referred to the Committee on Education.

A bill for an act
relating to education; providing for character development education revenue;
appropriating money.

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

Section 1. **CHARACTER DEVELOPMENT EDUCATION REVENUE; PILOT PROGRAM.**

Subdivision 1. Pilot program created. A pilot program is created to allow school districts to receive character development education revenue to purchase curriculum for the purposes of Minnesota Statutes, section 120B.232. Character development education revenue for school districts equals \$30 times the district's adjusted marginal cost pupil units.

Subd. 2. Approved provider list. The commissioner of education shall maintain a character development education curriculum approved provider list. The character development education curriculum of approved providers shall be research based with at least one completed relational study covering a period of no fewer than five years and completed by an independent party. Approved character development education curriculum must include:

- (1) age appropriate character development for the classroom in all elementary and secondary grades;**
- (2) curriculum for character development extracurricular activities;**
- (3) teacher training workshops and in-service training;**
- (4) plans for school assemblies promoting character development;**
- (5) midyear consulting between the school district and the provider; and**
- (6) an assessment program.**

2.1 Subd. 3. Application and selection process. A school district may submit to
 2.2 the commissioner an application for funding in the form and manner specified by the
 2.3 commissioner. The commissioner shall approve applications that propose to use an
 2.4 approved provider and that agree to use the program as recommended by the provider.
 2.5 The commissioner must approve or disapprove an application within 30 days of receipt on
 2.6 a first-come, first-served basis.

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

2.8 Sec. 2. APPROPRIATION.

2.9 Subdivision 1. Department of Education. The sum indicated in this section is
 2.10 appropriated from the general fund to the Department of Education for the fiscal years
 2.11 designated.

2.12 Subd. 2. Character development education revenue. For the character
 2.13 development education revenue pilot program according to section 1:

2.14 \$ 2007

Senators Clark and Kelley introduced—

S.F. No. 3535: Referred to the Committee on Education.

A bill for an act

1.2 relating to education; including blindness within the definition of disability;
1.3 directing the education commissioner to incorporate references to blindness
1.4 into the definition of "visually impaired" in rule; amending Minnesota Statutes
1.5 2004, section 125A.02, subdivision 1.

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

1.7 Section 1. Minnesota Statutes 2004, section 125A.02, subdivision 1, is amended to
1.8 read:

1.9 Subdivision 1. **Child with a disability.** Every child who has a hearing impairment,
1.10 blindness, visual disability, speech or language impairment, physical handicap, other
1.11 health impairment, mental handicap, emotional/behavioral disorder, specific learning
1.12 disability, autism, traumatic brain injury, multiple disabilities, or deaf/blind disability and
1.13 needs special instruction and services, as determined by the standards of the commissioner,
1.14 is a child with a disability. In addition, every child under age three, and at local district
1.15 discretion from age three to age seven, who needs special instruction and services, as
1.16 determined by the standards of the commissioner, because the child has a substantial delay
1.17 or has an identifiable physical or mental condition known to hinder normal development is
1.18 a child with a disability.

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

1.20 Sec. 2. RULE ON VISUALLY IMPAIRED TO INCLUDE REFERENCES TO
21 "BLIND" AND "BLINDNESS."

- 2.1 The commissioner of education, where appropriate, must incorporate references to
- 2.2 "blind" and "blindness" into the definition of visually impaired under Minnesota Rules,
- 2.3 part 3525.1345, and amend the rule title to include the word "blind."

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

Senators Skoe and Dille introduced--

S.F. No. 3412: Referred to the Committee on Education.

A bill for an act

1.2 relating to pupil transportation; updating school bus equipment standards;
 1.3 clarifying school bus discipline policies for charter school and nonpublic
 1.4 pupils being transported on school district buses; modifying certain school
 1.5 bus license standards; clarifying certain pupil transportation cost data;
 1.6 amending Minnesota Statutes 2004, sections 123B.90, subdivision 2; 123B.91,
 1.7 by adding a subdivision; 169.01, subdivision 6; 169.447, subdivision 2;
 1.8 169.4501, subdivisions 1, 2; 169.4502, subdivision 5; 169.4503, subdivision
 1.9 20; 171.321, subdivisions 4, 5; 171.3215, subdivision 2; 631.40, subdivision
 1.10 1a; Minnesota Statutes 2005 Supplement, sections 123B.92, subdivisions 1, 5;
 1.11 171.02, subdivision 2a; repealing Minnesota Statutes 2004, sections 169.4502,
 1.12 subdivision 15; 169.4503, subdivisions 17, 18, 26.

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

1.14 Section 1. Minnesota Statutes 2004, section 123B.90, subdivision 2, is amended to read:

1.15 Subd. 2. **Student training.** (a) Each district must provide public school pupils
 1.16 enrolled in kindergarten through grade 10 with age-appropriate school bus safety training,
 1.17 as described in this section, of the following concepts:

- 1.18 (1) transportation by school bus is a privilege and not a right;
- 1.19 (2) district policies for student conduct and school bus safety;
- 1.20 (3) appropriate conduct while on the school bus;
- 1.21 (4) the danger zones surrounding a school bus;
- 1.22 (5) procedures for safely boarding and leaving a school bus;
- 1.23 (6) procedures for safe street or road crossing; and
- 1.24 (7) school bus evacuation.

1.25 (b) Each nonpublic school located within the district must provide all nonpublic
 1.26 school pupils enrolled in kindergarten through grade 10 who are transported by school

2.1 bus at public expense and attend school within the district's boundaries with training as
2.2 required in paragraph (a).

2.3 (c) Students enrolled in kindergarten through grade 6 who are transported by school
2.4 bus and are enrolled during the first or second week of school must receive the school bus
2.5 safety training competencies by the end of the third week of school. Students enrolled in
2.6 grades 7 through 10 who are transported by school bus and are enrolled during the first or
2.7 second week of school and have not previously received school bus safety training must
2.8 receive the training or receive bus safety instructional materials by the end of the sixth
2.9 week of school. ~~Students taking driver's training instructional classes and other students~~
2.10 ~~in grades 9 and grade 10~~ must receive training in the laws and proper procedures when
2.11 operating a motor vehicle in the vicinity of a school bus. Students enrolled in kindergarten
2.12 through grade 10 who enroll in a school after the second week of school and are
2.13 transported by school bus and have not received training in their previous school district
2.14 shall undergo school bus safety training or receive bus safety instructional materials
2.15 within four weeks of the first day of attendance. Upon request of the superintendent
2.16 of schools, the school transportation safety director in each district must certify to the
2.17 ~~superintendent of schools annually~~ that all students transported by school bus within
2.18 the district have received the school bus safety training according to this section. The
2.19 principal or other chief administrator of each nonpublic school must certify annually to
2.20 the school transportation safety director of the district in which the school is located that
2.21 the school's students transported by school bus at public expense have received training
2.22 according to this section.

2.23 (d) A district and a nonpublic school with students transported by school bus at
2.24 public expense may provide kindergarten pupils with bus safety training before the first
2.25 day of school.

2.26 (e) A district and a nonpublic school with students transported by school bus at
2.27 public expense may also provide student safety education for bicycling and pedestrian
2.28 safety, for students enrolled in kindergarten through grade 5.

2.29 (f) A district and a nonpublic school with students transported by school bus at
2.30 public expense must make reasonable accommodations for the school bus safety training
2.31 of pupils known to speak English as a second language and pupils with disabilities.

2.32 (g) The district and a nonpublic school with students transported by school bus at
2.33 public expense must provide students enrolled in kindergarten through grade 3 school bus
2.34 safety training twice during the school year.

2.35 (h) A district and a nonpublic school with students transported by school bus at public
2.36 expense must conduct a school bus evacuation drill at least once during the school year.

3.1 **EFFECTIVE DATE.** This section is effective July 1, 2006.

3.2 Sec. 2. Minnesota Statutes 2004, section 123B.91, is amended by adding a subdivision
3.3 to read:

3.4 Subd. 1a. **Compliance by nonpublic and charter schools.** All nonpublic and
3.5 charter schools whose students are transported by a public school district shall comply
3.6 with student bus conduct and student bus discipline policies of the transporting public
3.7 school district enacted according to section 123B.91, subdivision 1, clauses 2 and 5.

3.8 A public school district may withhold transportation service to a nonpublic or
3.9 charter school that fails or refuses to follow school district policies enacted under section
3.10 123B.91, subdivision 1, clauses 2 and 5, until the time the nonpublic or charter school is in
3.11 compliance with the school district transportation policy.

EFFECTIVE DATE. This section is effective July 1, 2006.

3.13 Sec. 3. Minnesota Statutes 2005 Supplement, section 123B.92, subdivision 1, is
3.14 amended to read:

3.15 Subdivision 1. **Definitions.** For purposes of this section and section 125A.76, the
3.16 terms defined in this subdivision have the meanings given to them.

3.17 (a) "Actual expenditure per pupil transported in the regular and excess transportation
3.18 categories" means the quotient obtained by dividing:

3.19 (1) the sum of:

3.20 (i) all expenditures for transportation in the regular category, as defined in paragraph
(b), clause (1), and the excess category, as defined in paragraph (b), clause (2), plus

3.22 (ii) an amount equal to one year's depreciation on the district's school bus fleet
3.23 and mobile units computed on a straight line basis at the rate of 15 percent per year for
3.24 districts operating a program under section 124D.128 for grades 1 to 12 for all students in
3.25 the district and 12-1/2 percent per year for other districts of the cost of the fleet, plus

3.26 (iii) an amount equal to one year's depreciation on the district's type three school
3.27 buses, as defined in section 169.01, subdivision 6, clause (5), which must be used a
3.28 majority of the time for pupil transportation purposes, computed on a straight line basis at
3.29 the rate of 20 percent per year of the cost of the type three school buses by:

3.30 (2) the number of pupils eligible for transportation in the regular category, as defined
3.31 in paragraph (b), clause (1), and the excess category, as defined in paragraph (b), clause (2).

3.32 (b) "Transportation category" means a category of transportation service provided to
3.33 pupils as follows:

3.34 (1) Regular transportation is:

4.1 (i) transportation to and from school during the regular school year for resident
4.2 elementary pupils residing one mile or more from the public or nonpublic school they
4.3 attend, and resident secondary pupils residing two miles or more from the public
4.4 or nonpublic school they attend, excluding desegregation transportation and noon
4.5 kindergarten transportation; but with respect to transportation of pupils to and from
4.6 nonpublic schools, only to the extent permitted by sections 123B.84 to 123B.87;

4.7 (ii) transportation of resident pupils to and from language immersion programs;

4.8 (iii) transportation of a pupil who is a custodial parent and that pupil's child between
4.9 the pupil's home and the child care provider and between the provider and the school, if
4.10 the home and provider are within the attendance area of the school;

4.11 (iv) transportation to and from or board and lodging in another district, of resident
4.12 pupils of a district without a secondary school; and

4.13 (v) transportation to and from school during the regular school year required under
4.14 subdivision 3 for nonresident elementary pupils when the distance from the attendance
4.15 area border to the public school is one mile or more, and for nonresident secondary pupils
4.16 when the distance from the attendance area border to the public school is two miles or
4.17 more, excluding desegregation transportation and noon kindergarten transportation.

4.18 For the purposes of this paragraph, a district may designate a licensed day care
4.19 facility, school day care facility, respite care facility, the residence of a relative, or the
4.20 residence of a person chosen by the pupil's parent or guardian as the home of a pupil for
4.21 part or all of the day, if requested by the pupil's parent or guardian, and if that facility or
4.22 residence is within the attendance area of the school the pupil attends.

4.23 (2) Excess transportation is:

4.24 (i) transportation to and from school during the regular school year for resident
4.25 secondary pupils residing at least one mile but less than two miles from the public or
4.26 nonpublic school they attend, and transportation to and from school for resident pupils
4.27 residing less than one mile from school who are transported because of extraordinary
4.28 traffic, drug, or crime hazards; and

4.29 (ii) transportation to and from school during the regular school year required under
4.30 subdivision 3 for nonresident secondary pupils when the distance from the attendance area
4.31 border to the school is at least one mile but less than two miles from the public school
4.32 they attend, and for nonresident pupils when the distance from the attendance area border
4.33 to the school is less than one mile from the school and who are transported because of
4.34 extraordinary traffic, drug, or crime hazards.

4.35 (3) Desegregation transportation is transportation within and outside of the district
4.36 during the regular school year of pupils to and from schools located outside their normal

5.1 attendance areas under a plan for desegregation mandated by the commissioner or under
5.2 court order.

5.3 (4) "Transportation services for pupils with disabilities" is:

5.4 (i) transportation of pupils with disabilities who cannot be transported on a regular
5.5 school bus between home or a respite care facility and school;

5.6 (ii) necessary transportation of pupils with disabilities from home or from school to
5.7 other buildings, including centers such as developmental achievement centers, hospitals,
5.8 and treatment centers where special instruction or services required by sections 125A.03
5.9 to 125A.24, 125A.26 to 125A.48, and 125A.65 are provided, within or outside the district
5.10 where services are provided;

5.11 (iii) necessary transportation for resident pupils with disabilities required by sections
5.12 125A.12, and 125A.26 to 125A.48;

5.13 (iv) board and lodging for pupils with disabilities in a district maintaining special
5.14 classes;

5.15 (v) transportation from one educational facility to another within the district for
5.16 resident pupils enrolled on a shared-time basis in educational programs, and necessary
5.17 transportation required by sections 125A.18, and 125A.26 to 125A.48, for resident pupils
5.18 with disabilities who are provided special instruction and services on a shared-time basis
5.19 or if resident pupils are not transported, the costs of necessary travel between public
5.20 and private schools or neutral instructional sites by essential personnel employed by the
5.21 district's program for children with a disability;

5.22 (vi) transportation for resident pupils with disabilities to and from board and lodging
5.23 facilities when the pupil is boarded and lodged for educational purposes; and

5.24 (vii) services described in clauses (i) to (vi), when provided for pupils with
5.25 disabilities in conjunction with a summer instructional program that relates to the pupil's
5.26 individual education plan or in conjunction with a learning year program established
5.27 under section 124D.128.

5.28 For purposes of computing special education base revenue under section 125A.76,
5.29 subdivision 2, the cost of providing transportation for children with disabilities includes
5.30 (A) the additional cost of transporting a homeless student from a temporary nonshelter
5.31 home in another district to the school of origin, or a formerly homeless student from a
5.32 permanent home in another district to the school of origin but only through the end of the
5.33 academic year; and (B) depreciation on district-owned school buses purchased after July 1,
5.34 2005, and used primarily for transportation of pupils with disabilities, calculated according
5.35 to paragraph (a), clauses (ii) and (iii). Depreciation costs included in the disabled

6.1 transportation category must be excluded in calculating the actual expenditure per pupil
6.2 transported in the regular and excess transportation categories according to paragraph (a).

6.3 (5) "Nonpublic nonregular transportation" is:

6.4 (i) transportation from one educational facility to another within the district for
6.5 resident pupils enrolled on a shared-time basis in educational programs, excluding
6.6 transportation for nonpublic pupils with disabilities under clause (4);

6.7 (ii) transportation within district boundaries between a nonpublic school and a
6.8 public school or a neutral site for nonpublic school pupils who are provided pupil support
6.9 services pursuant to section 123B.44; and

6.10 (iii) late transportation home from school or between schools within a district for
6.11 nonpublic school pupils involved in after-school activities.

6.12 (c) "Mobile unit" means a vehicle or trailer designed to provide facilities for
6.13 educational programs and services, including diagnostic testing, guidance and counseling
6.14 services, and health services. A mobile unit located off nonpublic school premises is a
6.15 neutral site as defined in section 123B.41, subdivision 13.

6.16 **EFFECTIVE DATE.** This section is effective July 1, 2006.

6.17 Sec. 4. Minnesota Statutes 2005 Supplement, section 123B.92, subdivision 5, is
6.18 amended to read:

6.19 Subd. 5. **District reports.** (a) Each district must report data to the department as
6.20 required by the department to account for transportation expenditures.

6.21 (b) Salaries and fringe benefits of district employees whose primary duties are
6.22 other than transportation, including central office administrators and staff, building
6.23 administrators and staff, teachers, social workers, school nurses, and instructional aides,
6.24 must not be included in a district's transportation expenditures, except that a district may
6.25 include salaries and benefits according to paragraph (c) for (1) an employee designated
6.26 as the district transportation director, (2) an employee providing direct support to the
6.27 transportation director, or (3) an employee providing direct transportation services such as
6.28 a bus driver or bus aide.

6.29 (c) Salaries and fringe benefits of ~~other~~ the district employees listed in paragraph
6.30 (b), clauses (1), (2), and (3) who work part time in transportation and part time in other
6.31 areas must not be included in a district's transportation expenditures unless the district
6.32 maintains documentation of the employee's time spent on pupil transportation matters in
6.33 the form and manner prescribed by the department.

6.34 (d) Pupil transportation expenditures, excluding expenditures for capital outlay,
6.35 leased buses, student board and lodging, crossing guards, and aides on buses, must

7.1 be allocated among transportation categories based on cost-per-mile, cost-per-student,
 7.2 cost-per-hour, or cost-per-route, regardless of whether the transportation services are
 7.3 provided on district-owned or contractor-owned school buses. Districts using contracted
 7.4 services will be exempt from the standard cost allocation method for authorized categories
 7.5 if the district's cost-per-mile, cost-per-hour, or cost-per-route for authorized categories
 7.6 does not vary more than 15 percent among authorized categories, excluding salaries and
 7.7 fringe benefits of bus aides. Both district-owned and contractor-owned operations shall
 7.8 report a cost-per-mile, cost-per-hour, or cost-per-route for nonauthorized categories that is
 7.9 within 15 percent of what is used for authorized categories, excluding salaries and fringe
 7.10 benefits of bus aides. If the costs reported by either district-owned or contractor-owned
 7.11 operations vary more than the parameters outlined above, the department can require
 7.12 the district to reallocate its transportation costs among categories. Expenditures for
 7.13 school bus driver salaries and fringe benefits may either be directly charged to the
 7.14 appropriate transportation category or may be allocated among transportation categories
 7.15 based on cost-per-mile, cost-per-student, cost-per-hour, or cost-per-route. Expenditures
 7.16 by private contractors or individuals who provide transportation exclusively in one
 7.17 transportation category must be charged directly to the appropriate transportation category.
 7.18 Transportation services provided by contractor-owned school bus companies incorporated
 7.19 under different names but owned by the same individual or group of individuals must be
 7.20 treated as the same company for cost allocation purposes.

7.21 **EFFECTIVE DATE.** This section is effective for fiscal year 2006.

Sec. 5. Minnesota Statutes 2004, section 169.01, subdivision 6, is amended to read:

7.23 Subd. 6. **School bus.** "School bus" means a motor vehicle used to transport pupils
 7.24 to or from a school defined in section 120A.22, or to or from school-related activities, by
 7.25 the school or a school district, or by someone under an agreement with the school or a
 7.26 school district. A school bus does not include a motor vehicle transporting children to or
 7.27 from school for which parents or guardians receive direct compensation from a school
 7.28 district, a motor coach operating under charter carrier authority, a transit bus providing
 7.29 services as defined in section 174.22, subdivision 7, a multifunction school activity bus
 7.30 as defined by federal motor vehicle safety standards, or a vehicle otherwise qualifying
 7.31 as a type III vehicle under paragraph (5), when the vehicle is properly registered and
 7.32 insured and being driven by an employee or agent of a school district for nonscheduled
 7.33 or nonregular transportation. A school bus may be type A, type B, type C, or type D, or
 7.34 type III as follows:

8.1 (1) A "type A school bus" is a ~~van conversion or~~ bus constructed utilizing a cutaway
8.2 front section vehicle with a left-side driver's door. ~~The entrance door is behind the front~~
8.3 ~~wheels.~~ This definition includes two classifications: type A-I, with a gross vehicle weight
8.4 rating (GVWR) ~~less than or equal to 10,000~~ 14,500 pounds or less; and type A-II, with a
8.5 GVWR greater than ~~10,000~~ 14,500 pounds and less than or equal to 21,500 pounds.

8.6 (2) A "type B school bus" is constructed utilizing a stripped chassis. The entrance
8.7 door is behind the front wheels. This definition includes two classifications: type B-I,
8.8 with a GVWR less than or equal to 10,000 pounds; and type B-II, with a GVWR greater
8.9 than 10,000 pounds.

8.10 (3) A "type C school bus" is constructed utilizing a chassis with a hood and front
8.11 fender assembly. The entrance door is behind the front wheels. A "type C school bus" also
8.12 includes a cutaway truck chassis or truck chassis with cab with or without a left side door
8.13 and with a GVWR greater than 21,500 pounds.

8.14 (4) A "type D school bus" is constructed utilizing a stripped chassis. The entrance
8.15 door is ahead of the front wheels.

8.16 (5) Type III school buses and type III Head Start buses are restricted to passenger
8.17 cars, station wagons, vans, and buses having a maximum manufacturer's rated seating
8.18 capacity of ten or fewer people, including the driver, and a gross vehicle weight rating of
8.19 10,000 pounds or less. In this subdivision, "gross vehicle weight rating" means the value
8.20 specified by the manufacturer as the loaded weight of a single vehicle. A "type III school
8.21 bus" and "type III Head Start bus" must not be outwardly equipped and identified as a type
8.22 A, B, C, or D school bus or type A, B, C, or D Head Start bus. A van or bus converted to a
8.23 seating capacity of ten or fewer and placed in service on or after August 1, 1999, must
8.24 have been originally manufactured to comply with the passenger safety standards.

8.25 **EFFECTIVE DATE.** This section is effective January 1, 2007.

8.26 Sec. 6. Minnesota Statutes 2004, section 169.447, subdivision 2, is amended to read:

8.27 Subd. 2. **Driver seat belt.** ~~New~~ School buses and Head Start buses manufactured
8.28 after December 31, 1994, must be equipped with driver seat belts and seat belt assemblies
8.29 of the type described in section 169.685, subdivision 3. School bus drivers and Head
8.30 Start bus drivers must use these seat belts.

8.31 **EFFECTIVE DATE.** This section is effective July 1, 2006.

8.32 Sec. 7. Minnesota Statutes 2004, section 169.4501, subdivision 1, is amended to read:

9.1 Subdivision 1. **National standards adopted.** Except as provided in sections
 9.2 169.4502 and 169.4503, the construction, design, equipment, and color of types A,
 9.3 B, C, and D school buses used for the transportation of school children shall meet the
 9.4 requirements of the "bus chassis standards" and "bus body standards" in the ~~2000~~ 2005
 9.5 edition of the "National School Transportation Specifications and Procedures" adopted
 9.6 by the National ~~Conference~~ Congress on School Transportation. Except as provided
 9.7 in section 169.4504, the construction, design, and equipment of types A, B, C, and D
 9.8 school buses used for the transportation of students with disabilities also shall meet the
 9.9 requirements of the "specially equipped school bus standards" in the ~~2000~~ 2005 National
 9.10 School Transportation Specifications and Procedures. The "bus chassis standards," "bus
 9.11 body standards," and "specially equipped school bus standards" sections of the ~~2000~~
 9.12 2005 edition of the "National School Transportation Specifications and Procedures" are
 9.13 incorporated by reference in this chapter.

9.14 **EFFECTIVE DATE.** This section is effective January 1, 2007.

9.15 Sec. 8. Minnesota Statutes 2004, section 169.4501, subdivision 2, is amended to read:

9.16 Subd. 2. **Applicability.** (a) The standards adopted in this section and sections
 9.17 169.4502 and 169.4503, govern the construction, design, equipment, and color of school
 9.18 buses used for the transportation of school children, when owned or leased and operated
 9.19 by a school or privately owned or leased and operated under a contract with a school.
 9.20 Each school, its officers and employees, and each person employed under the contract is
 9.21 subject to these standards.

9.22 (b) The standards apply to school buses manufactured after ~~October 31, 2004~~
 9.23 December 31, 2006. Buses complying with the standards when manufactured need not
 9.24 comply with standards established later except as specifically provided for by law.

9.25 (c) A school bus manufactured on or before ~~October 31, 2004~~ December 31,
 9.26 2006, must conform to the Minnesota standards in effect on the date the vehicle was
 9.27 manufactured except as specifically provided for in law.

9.28 (d) A new bus body may be remounted on a used chassis provided that the remounted
 9.29 vehicle meets state and federal standards for new buses which are current at the time of the
 9.30 remounting. Permission must be obtained from the commissioner of public safety before
 9.31 the remounting is done. A used bus body may not be remounted on a new or used chassis.

9.32 **EFFECTIVE DATE.** This section is effective January 1, 2007.

9.33 Sec. 9. Minnesota Statutes 2004, section 169.4502, subdivision 5, is amended to read:

10.1 Subd. 5. **Electrical system; battery.** (a) The storage battery, as established by the
10.2 manufacturer's rating, must be of sufficient capacity to care for starting, lighting, signal
10.3 devices, heating, and other electrical equipment. In a bus with a gas-powered chassis, the
10.4 battery or batteries must provide a minimum of 800 cold cranking amperes. In a bus
10.5 with a diesel-powered chassis, the battery or batteries must provide a minimum of 1050
10.6 cold cranking amperes.

10.7 (b) In a type B bus with a gross vehicle weight rating of 15,000 pounds or more, and
10.8 type C and D buses, the battery shall be temporarily mounted on the chassis frame. The
10.9 final location of the battery and the appropriate cable lengths in these buses must comply
10.10 with the SBMI design objectives booklet.

10.11 (c) All batteries shall be mounted according to chassis manufacturers'
10.12 recommendations.

10.13 (d) In a type C bus, other than are powered by diesel fuel, a battery providing at least
10.14 550 cold cranking amperes may be installed in the engine compartment only if used in
10.15 combination with a generator or alternator of at least ~~120~~ 130 amperes.

10.16 (e) A bus with a gross vehicle weight rating of 15,000 pounds or less may be
10.17 equipped with a battery to provide a minimum of 550 cold cranking amperes only if used
10.18 in combination with an alternator of at least ~~80~~ 130 amperes. This paragraph does not
10.19 apply to those buses with wheelchair lifts or diesel engines.

10.20 **EFFECTIVE DATE.** This section is effective January 1, 2007.

10.21 Sec. 10. Minnesota Statutes 2004, section 169.4503, subdivision 20, is amended to
10.22 read:

10.23 Subd. 20. **Seat and crash barriers.** (a) All restraining barriers and passenger seats
10.24 shall be covered with a material that has fire retardant or fire block characteristics.

10.25 (b) All seats must have a minimum mounting height of 15 inches and a seat back
10.26 height of at least 20 inches above the seating reference point.

10.27 **EFFECTIVE DATE.** This section is effective January 1, 2007.

10.28 Sec. 11. Minnesota Statutes 2005 Supplement, section 171.02, subdivision 2a, is
10.29 amended to read:

10.30 Subd. 2a. **Exception for certain school bus drivers.** Notwithstanding subdivision
10.31 2, paragraph (c), the holder of a class D driver's license, without a school bus endorsement,
10.32 may operate a type A school bus described in subdivision 2, paragraph (b), under the
10.33 following conditions:

11.1 (a) The operator is an employee of the entity that owns, leases, or contracts for the
11.2 school bus and is not solely hired to provide transportation services under this subdivision.

(b) The operator drives the school bus only from points of origin to points of
11.4 destination, not including home-to-school trips to pick up or drop off students.

11.5 (c) The operator is prohibited from using the eight-light system. Violation of this
11.6 paragraph is a misdemeanor.

11.7 (d) The operator's employer has adopted and implemented a policy that provides for
11.8 annual training and certification of the operator in:

11.9 (1) safe operation of the type of school bus the operator will be driving;

11.10 (2) understanding student behavior, including issues relating to students with
11.11 disabilities;

11.12 (3) encouraging orderly conduct of students on the bus and handling incidents of
11.13 misconduct appropriately;

11.14 (4) knowing and understanding relevant laws, rules of the road, and local school
11.15 bus safety policies;

11.16 (5) handling emergency situations; and

11.17 (6) safe loading and unloading of students.

11.18 (e) A background check or background investigation of the operator has been
11.19 conducted that meets the requirements under section 122A.18, subdivision 8, or 123B.03
11.20 for teachers; section 144.057 or chapter 245C for day care employees; or section 171.321,
11.21 subdivision 3, for all other persons operating a type A school bus under this subdivision.

11.22 (f) Operators shall submit to a physical examination as required by section 171.321,
11.23 subdivision 2.

11.24 (g) The operator's driver's license is verified annually by the entity that owns, leases,
11.25 or contracts for the school bus.

11.26 (h) A person who sustains a conviction, as defined under section 609.02, of violating
11.27 section 169A.25, 169A.26, 169A.27, 169A.31, 169A.51, or 169A.52, or a similar statute
11.28 or ordinance of another state is precluded from operating a school bus for five years
11.29 from the date of conviction.

11.30 (i) A person who has ever been convicted of a disqualifying offense as defined in
11.31 section 171.3215, subdivision 1, paragraph (c), may not operate a school bus under this
11.32 subdivision.

11.33 ~~(j) A person who sustains a conviction, as defined under section 609.02, of a fourth~~
11.34 ~~moving offense in violation of chapter 169 is precluded from operating a school bus for~~
11.35 ~~one year from the date of the last conviction.~~

12.1 ~~(k)~~ Students riding the school bus must have training required under section
12.2 123B.90, subdivision 2.

12.3 ~~(j)~~ (k) An operator must be trained in the proper use of child safety restraints as set
12.4 forth in the National Highway Traffic Safety Administration's "Guideline for the Safe
12.5 Transportation of Pre-school Age Children in School Buses."

12.6 ~~(m)~~ (l) Annual certification of the requirements listed in this subdivision must be
12.7 maintained under separate file at the business location for each operator licensed under
12.8 this subdivision and subdivision 2, paragraph (b), clause (5). The business manager,
12.9 school board, governing body of a nonpublic school, or any other entity that owns,
12.10 leases, or contracts for the school bus operating under this subdivision is responsible
12.11 for maintaining these files for inspection.

12.12 ~~(n)~~ (m) The school bus must bear a current certificate of inspection issued under
12.13 section 169.451.

12.14 ~~(o)~~ (n) The word "School" on the front and rear of the bus must be covered by a sign
12.15 that reads "Activities" when the bus is being operated under authority of this subdivision.

12.16 **EFFECTIVE DATE.** This section is effective July 1, 2006.

12.17 Sec. 12. Minnesota Statutes 2004, section 171.321, subdivision 4, is amended to read:

12.18 Subd. 4. **Training.** (a) No person shall drive a class A, B, C, or D school bus when
12.19 transporting school children to or from school or upon a school-related trip or activity
12.20 without having demonstrated sufficient skills and knowledge to transport students in
12.21 a safe and legal manner.

12.22 (b) A bus driver must have training or experience that allows the driver to meet at
12.23 least the following competencies:

12.24 (1) safely operate the type of school bus the driver will be driving;

12.25 (2) understand student behavior, including issues relating to students with
12.26 disabilities;

12.27 (3) encourage orderly conduct of students on the bus and handle incidents of
12.28 misconduct appropriately;

12.29 (4) know and understand relevant laws, rules of the road, and local school bus
12.30 safety policies;

12.31 (5) handle emergency situations; and

12.32 (6) safely load and unload students.

12.33 (c) The commissioner of public safety shall develop a comprehensive model
12.34 school bus driver training program and model assessments for school bus driver training
12.35 competencies, which are not subject to chapter 14. A school district, nonpublic school, or

13.1 private contractor may use alternative assessments for bus driver training competencies
 13.2 with the approval of the commissioner of public safety. A driver may receive at least eight
 13.3 hours of school bus in-service training any year, as an alternative to being assessed for
 13.4 bus driver competencies. The employer shall keep the assessment or a record of the
 13.5 in-service training for the current period available for inspection by representatives of
 13.6 the commissioner.

13.7 **EFFECTIVE DATE.** This section is effective July 1, 2006.

13.8 Sec. 13. Minnesota Statutes 2004, section 171.321, subdivision 5, is amended to read:

13.9 **Subd. 5. Annual evaluation and license verification.** (a) A school district,
 13.10 nonpublic school, or private contractor shall provide in-service training annually by June
 13.11 30 of each year to each school bus driver.

13.12 (b) A school district, nonpublic school, or private contractor shall annually by June
 13.13 30 of each year verify the validity of the driver's license of each employee who regularly
 13.14 transports students for the district in a type A school bus, a type B school bus, a type C
 13.15 school bus, or type D school bus, or regularly transports students for the district in a type
 13.16 III vehicle with the National Driver Register or with the Department of Public Safety.

13.17 (c) Members of a nonprofit bus drivers' trade association under private contract
 13.18 with an independent school district shall not be charged a fee greater than the fee, if any,
 13.19 imposed upon an independent school district for accessing an employee's driver's license
 13.20 records from the Department of Public Safety in compliance with this section.

13.21 **EFFECTIVE DATE.** This section is effective July 1, 2006.

13.22 Sec. 14. Minnesota Statutes 2004, section 171.3215, subdivision 2, is amended to read:

13.23 **Subd. 2. Cancellation for disqualifying and other offenses.** Within ten days
 13.24 of receiving notice under section 631.40, subdivision 1a, or otherwise receiving notice
 13.25 for a nonresident driver, that a school bus driver has been convicted of a disqualifying
 13.26 offense, the commissioner shall permanently cancel the school bus driver's endorsement
 13.27 on the offender's driver's license and in the case of a nonresident, the driver's privilege to
 13.28 operate a school bus in Minnesota. A school bus driver whose endorsement or privilege
 13.29 to operate a school bus in Minnesota has been permanently canceled may not apply for
 13.30 reinstatement. Within ten days of receiving notice under section 631.40, subdivision 1a,
 13.31 or otherwise receiving notice for a nonresident driver, that a school bus driver has been
 13.32 convicted of a violation of section 169A.20, or a similar statute or ordinance from another
 13.33 state, and within ten days of revoking a school bus driver's license under section 169A.52,

14.1 the commissioner shall cancel the school bus driver's endorsement on the offender's
 14.2 driver's license or the nonresident's privilege to operate a school bus in Minnesota for
 14.3 five years. After five years, a school bus driver may apply to the commissioner for
 14.4 reinstatement. Even after five years, cancellation of a school bus driver's endorsement or a
 14.5 nonresident's privilege to operate a school bus in Minnesota for a violation under section
 14.6 169A.20, sections 169A.50 to 169A.53, or a similar statute or ordinance from another
 14.7 state, shall remain in effect until the driver provides proof of successful completion of an
 14.8 alcohol or controlled substance treatment program. For a first offense, proof of completion
 14.9 is required only if treatment was ordered as part of a chemical use assessment. ~~Within~~
 14.10 ~~ten days of receiving notice under section 631.40, subdivision 1a, or otherwise receiving~~
 14.11 ~~notice for a nonresident driver, that a school bus driver has been convicted of a fourth~~
 14.12 ~~moving violation in the last three years, the commissioner shall cancel the school bus~~
 14.13 ~~driver's endorsement on the offender's driver's license or the nonresident's privilege to~~
 14.14 ~~operate a school bus in Minnesota until one year has elapsed since the last conviction. A~~
 14.15 ~~school bus driver who has no new convictions after one year may apply for reinstatement.~~
 14.16 Upon canceling the offender's school bus driver's endorsement, the commissioner shall
 14.17 immediately notify the licensed offender of the cancellation in writing, by depositing in
 14.18 the United States post office a notice addressed to the licensed offender at the licensed
 14.19 offender's last known address, with postage prepaid thereon.

14.20 **EFFECTIVE DATE.** This section is effective July 1, 2006.

14.21 Sec. 15. Minnesota Statutes 2004, section 631.40, subdivision 1a, is amended to read:

14.22 Subd. 1a. **Certified copy of disqualifying offense convictions sent to public**
 14.23 **safety and school districts.** When a person is convicted of committing a disqualifying
 14.24 offense, as defined in section 171.3215, subdivision 1, a gross misdemeanor, ~~a fourth~~
 14.25 ~~moving violation within the previous three years,~~ or a violation of section 169A.20, or
 14.26 a similar statute or ordinance from another state, the court shall determine whether the
 14.27 offender is a school bus driver as defined in section 171.3215, subdivision 1, whether the
 14.28 offender possesses a school bus driver's endorsement on the offender's driver's license
 14.29 and in what school districts the offender drives a school bus. If the offender is a school bus
 14.30 driver or possesses a school bus driver's endorsement, the court administrator shall send
 14.31 a certified copy of the conviction to the Department of Public Safety and to the school
 14.32 districts in which the offender drives a school bus within ten days after the conviction.

14.33 **EFFECTIVE DATE.** This section is effective July 1, 2006.

15.1 Sec. 16. **REPEALER.**

15.2 Minnesota Statutes 2004, sections 169.4502, subdivision 15; and 169.4503,
subdivisions 17, 18, and 26, are repealed.

15.4 **EFFECTIVE DATE.** This section is effective January 1, 2007.

- Recommendation that the State of Minnesota provide new funding resources that do not supplant or shift current levels of funding from the University of Minnesota or Minnesota State Colleges and Universities; and
- Proposal for a governance structure that affirms the autonomy of the respective governing bodies to establish and manage the enterprises under their authority.

Finally, we are confident that Minnesota State Colleges and Universities is positioned well to support the University of Minnesota in achieving its program goals. I look forward to my continued work with President Bruininks and the University of Minnesota to better serve the citizens of the State of Minnesota.

Sincerely,



James H. McCormick

c: Robert H. Hoffman, Chair
Robert G. Bruininks, President

WINONA

STATE UNIVERSITY

March 17, 2006

Ms. Marilyn D. Stewart
Rochester Higher Education Development Committee
1301 Salem Road Southwest
Rochester, MN 55902

Dear Chair Stewart:

Thank you for inviting me to comment on the report of the Rochester Higher Education Development Committee to Governor Tim Pawlenty and the Minnesota Legislature. I concur that an educational strategy, integrated with the economic assets of a region, has great potential.

Rochester and the surrounding communities in Southeast Minnesota are already recognized as centers of entrepreneurship and creativity. In order to continue to expand its knowledge-based industry in the future, Rochester will need a diverse and talented workforce. The health of the economy of the region will require a growing number of people educated in science, technology, engineering and mathematics (STEM) fields. Much remains to be done to ensure that the increasingly diverse population of our region succeeds in preparing to enter an increasingly sophisticated workforce. The opportunities that will open up as a result of the growing R&D capacity created by a new level of investment in health sciences, biosciences, and technology and by advanced educational opportunities in the health sciences, will benefit the entire region, including the Winona area. At the same time, the changing nature of the region and its people will place demands on all of our communities and the organizations--K-12 education, criminal justice, government, social services, support for small and mid-sized businesses--that make our communities good places to live, study and work. Rochester will need additional support not only from the University of Minnesota but also from other post secondary institutions, including Winona State University and Rochester Community and Technical College. We must work in close cooperation with each other and with the citizens of Rochester to ensure that pathways to productive careers are clear and easy to negotiate and that the capacity to support economic and community development is readily accessible and effective.

You may know that Winona State University, as the host of the recently established MnSCU Center for Integrated Health Science Education and Practice, has begun to explore a new set of collaborative opportunities with the University of Minnesota and with our fellow MnSCU institutions. We intend to pursue some of these possibilities in the Rochester community. We have signed an agreement with the U of M that outlines a

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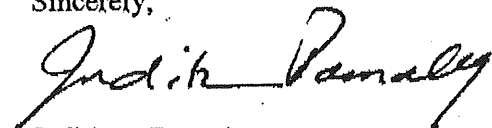
number of potential foci for collaboration with our colleagues at the Academic Health Center that will build a strong and responsive platform upon which the proposed specialized University of Minnesota programs in the health sciences can be supported.

Following the perspective provided by Chancellor McCormick in his letter of January 20, 2006, we will operate according to the following key concepts:

- Recognition of the need for continued assessment for the development and expansion of proposed programs in Rochester and the region;
- A commitment to partner and collaborate with the University of Minnesota in establishing programs and program pathways that serve the needs of the citizens of Minnesota, initially with a focus on the health sciences in the Rochester region;
- Support for the proposal for a governance structure that affirms the autonomy of the respective governing bodies, the Minnesota State Colleges and Universities and the University of Minnesota, to establish and manage the enterprises under their authority.

I look forward to the opportunity to do my part to ensure that SE Minnesota has the educational and research capacity it will need to remain competitive and innovative in a changing world and to serve the best interests of the Rochester community by cooperating with the University of Minnesota and my colleagues in the Minnesota State College and University System and, where appropriate, with other higher education institutions that offer programs in the Rochester area. Winona State's efforts will benefit not only Rochester but also communities throughout the region, including most especially Winona. As opportunities expand in the Rochester area, guided by the recommendations of the proposed RHEDC plan, new possibilities will open up for Winona State University to serve a growing population of students in new and effective ways, both those who study in Rochester and those who study primarily in Winona. We plan to use the growing and complex experience of the Rochester community as an engaging classroom and laboratory for the preparation of graduates who will live and work in the changing environment of the 21st century.

Sincerely,



Judith A. Ramaley
President and Professor of Biology

xc. Chancellor McCormick, Minnesota State Colleges and Universities
President Robert Bruininks, University of Minnesota
President Don Supalla, Rochester Community and Technical College
Senior Vice President Frank Cerra, University of Minnesota



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RCTC. Get there.

OFFICE OF THE PRESIDENT

March 20, 2006

Ms. Marilyn Stewart, Chair
Rochester Higher Education Development Committee
1301 Salem Road SW
Rochester, MN 55902

Dear Marilyn,

Having sat through each one of the Committee's many half-day meetings, let me congratulate you and the committee members for your good work and willingness to listen to consultants, higher education providers and the public...and then include what they told you in the Committee's final recommendations. I support the Committee's recommendation that urges the University of Minnesota to develop and deliver innovative health sciences and technology programs, built on the strengths of existing higher education providers, on a world-class destination campus in downtown Rochester.

For more than 90 years, Rochester Community and Technical College, has provided accessible, affordable, quality education programs meeting the needs of students and employers in Southeast Minnesota. We will continue to provide liberal arts transfer offerings, career and technical training and customized training, workforce development and continuing education. In addition, RCTC will continue to collaborate with the University of Minnesota and Winona State University to articulate programs, avoid course offering duplication, and deliver seamless and transparent student support services to co-enrolled students.

I'm supportive of the Committee's recommendation because it differentiates the mission of this new University of Minnesota entity from already existing offerings, demands that new programming minimize duplication and maximize collaboration with other higher education providers, requires a new state funding appropriation that doesn't redirect current State resources from Minnesota State Colleges and Universities or the University of Minnesota, phases the University of Minnesota expansion to minimize impact on the current University Center Rochester operation and assures that RCTC continues to be governed by the MnSCU Board of Trustees.

After listening to consultants, engaging in dialogue with the Committee and analyzing the Committee's recommendations, I view my support of this new higher education research entity as an investment in Minnesota's future. The long-term benefits for Minnesota, Rochester and the current University Center Rochester partners make a University of Minnesota research campus in downtown Rochester a win-win.

Sincerely,

Don Supalla
President

CC Dr. James McCormick, Minnesota State Colleges and Universities Chancellor
Dr. Robert Bruininks, University of Minnesota President

ROCHESTER COMMUNITY AND TECHNICAL COLLEGE

RCTC is a member of the Minnesota State Colleges and Universities System and an Equal Opportunity Employer/Educator.

Statute Revision Proposal Information

SENATE FILE

No. 2610

This bill was introduced for the purposes of expanding the statutory language to allow for qualified sign language interpreters who are deaf to interpret in a class room setting.

The current statute in 122A.31 subdivision 1(a) 1 recognizes current holders of interpreter and transliterator certificates as meeting that portion of the proficiency qualification to interpret in a school district setting. Currently, the Registry of Interpreters of the Deaf (RID) is the only licensing agency. RID awards the certificates of interpretation and transliteration specifically to hearing interpreters. Deaf interpreters may hold a (RSC) Reverse Skills Certificate which is no longer offered or may take the current test and earn a (CDI) Certified Deaf Interpreter certificate. Those are the only certificates available for deaf interpreters. Yet, the current statute does not recognize the certificates earned by deaf interpreters as meeting the necessary requirements of a proficiency certificate. Thus, current statute prevents deaf interpreters from even applying for a job in the field of their primary language.

This proposed language allows the RSC and CDI certificates that deaf interpreters earn to be recognized as full certificates that encompass transliteration and interpretation as stated by Lori Frizon (Director of Testing at RID).

The language allows qualified deaf interpreters who can interpret in a class room setting using an acute listening device, another career opportunity in serving their deaf students. It further allows a school district to at least consider deaf interpreters for employment in the future.

The sole and complete intention of Senate File 3111 is to identify those unintended consequences of MS 124D.095 and MS 124D.096 in an effort to seek potential avenues for correction, and thus enhance the positive attributes of this public policy for all Minnesota learners, and Minnesota partners in the schooling enterprise.

Minnesota Statutes 2005, 124D.095

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Minnesota Statutes 2005, Table of Chapters

Table of contents for Chapter 124D

124D.095 Online learning option.

Subdivision 1. **Citation.** This section may be cited as the "Online Learning Option Act."

Subd. 2. **Definitions.** For purposes of this section, the following terms have the meanings given them.

(a) "Online learning" is an interactive course or program that delivers instruction from a teacher to a student by computer; is combined with other traditional delivery methods that includes frequent student assessment and may include actual teacher contact time; and meets or exceeds state academic standards.

(b) "Online learning provider" is a school district, an intermediate school district, an organization of two or more school districts operating under a joint powers agreement, or a charter school located in Minnesota that provides online learning to students.

(c) "Student" is a Minnesota resident enrolled in a school under section 120A.22, subdivision 4, in kindergarten through grade 12.

(d) "Online learning student" is a student enrolled in an online learning course or program delivered by an online provider under paragraph (b).

(e) "Enrolling district" means the school district or charter school in which a student is enrolled under section 120A.22, subdivision 4, for purposes of compulsory attendance.

Subd. 3. **Authorization; notice; limitations on enrollment.** (a) A student may apply to an online learning provider to enroll in online learning. A student age 17 or younger must have the written consent of a parent or guardian to

apply. No school district or charter school may prohibit a student from applying to enroll in online learning. ~~An online learning provider that accepts a student under this section must, within ten days, notify the student and the enrolling district if the enrolling district is not the online learning provider. The notice must report the student's course or program and hours of instruction.~~ **Application and notification procedures and timelines shall comply with requirements as defined by M.S. 124D.03, Subs. 3-7.**

Note: Open enrollment and PSEO requirements do provide a minimal method for involvement of the "enrolling district" and opportunity for enrolling district to adjust its programming in terms of staffing and budget. Current OLL statute does not.

~~(b) An online learning student must notify the enrolling district at least 30 days before taking an online learning course or program if the enrolling district is not providing the online learning.~~ An online learning provider must notify the commissioner that it is delivering online learning and report the number of online learning students it is accepting and the online learning courses and programs it is delivering.

Note: The burden for notification and attention to time lines is specific to "the student". The notion that this is the student's responsibility is perhaps untenable. Failure to give the 30 day notice would in effect hold the student out from any instruction for 30 days. It would be difficult, and perhaps inappropriate, for any school district to simply tell a student, "...no you will sit in 3rd period Freshman English for 30 days, and then you can enroll in an on-line Freshman English course". There is nothing in current statute that in any fashion declares that the online provider needs to be informed of when the 30 day clock begins. I would suggest that enrollment with an online provider likely happens when the student/parent makes the initial contact with the online provider.

(c) An online learning provider may limit enrollment if the provider's school board or board of directors adopts by resolution specific standards for accepting and rejecting students' applications.

Note: It is more than curious that current law declares the online provider may limit enrollment and establish specific standards, but the enrolling district may not (see subd. 3 above).

(d) An enrolling district may reduce an online learning student's regular classroom instructional membership in proportion to the student's membership in online learning courses.

Note: It is understood that a reduction in regular classroom membership by the enrolling district would in all probability result in reduction of general education revenue for the enrolling district.

(e) On-line enrollments after the commencement of any school year shall not result in reduction of the enrolling school district's general education revenue for that school year.

Note: Mechanisms need to be identified in an effort to hold enrolling districts harmless for loss of general education revenues if timelines for student enrollment in online systems cannot allow for enrolling districts to make necessary adjustments in faculty and related expenses.

Subd. 4. Online learning parameters. (a) An online learning student must receive academic credit for completing the requirements of an online learning course or program. Secondary credits granted to an online learning student must be counted toward the graduation and credit requirements of the enrolling district, **provided the enrolling district has had the opportunity to review the course syllabus, course content, performance requirements, and evaluation criteria of the on-line course prior to the enrolling district's student enrollment in the on-line provider's course.** The enrolling district must apply the same graduation requirements to all students, including online learning students, and must continue to provide nonacademic services to online learning students. If a student completes an online learning course or program that meets or exceeds a graduation standard or grade progression requirement at the enrolling district, that standard or requirement is met. **Course completion is evidenced by the student's transcript showing a passing grade and the amount of credit the student has earned.** The enrolling district must use the same criteria for accepting online learning credits or courses as it does for accepting credits or courses for transfer students under section 124D.03, subdivision 9. The enrolling district may reduce the teacher contact time of an online learning student in proportion to the number of online learning courses the student takes from an online learning provider that is not the enrolling district. **The reduction in teacher contact time can only be made if such a reduction does not result in reduction of salary or benefits, unless such reduction is made in accord with M.S. 122A.40.**

Note: The possibility of this happening in the current collective bargaining arena would be between slim and none, if the presumption here is that salary and benefits would also be reduced accordingly.

(b) An online learning student may:

(1) enroll during a single school year in a maximum of 12 semester-long courses or their equivalent delivered by an online learning provider or the enrolling district;

(2) complete course work at a grade level that is different from the student's current grade level; and

(3) enroll in additional courses with the online learning provider under a separate agreement that includes terms for payment of any tuition or course fees.

(c) A student with a disability may enroll in an online learning course or program if the student's IEP team determines that online learning is appropriate education for the student.

(d) An online learning student has the same access to the computer hardware and education software available in a school as all other students in the enrolling district. An online

learning provider must assist an online learning student whose family qualifies for the education tax credit under section 290.0674 to acquire computer hardware and educational software for online learning purposes.

(e) An enrolling district may offer online learning to its enrolled students. Such online learning does not generate online learning funds under this section. An enrolling district that offers online learning only to its enrolled students is not subject to the reporting requirements or review criteria under subdivision 7. A teacher with a Minnesota license must assemble and deliver instruction to enrolled students receiving online learning from an enrolling district. The delivery of instruction occurs when the student interacts with the computer or the teacher and receives ongoing assistance and assessment of learning. The instruction may include curriculum developed by persons other than a teacher with a Minnesota license.

Note: The essence of concerns discussed in Senate File 3111 is not necessarily directed to districts or consortia of districts who have determined to offer online courses to their own students, and who also offer these courses to other school districts. The professional consensus would be that if the course meets the standards for Consortia "A", it would have at minimum basic standing with other school districts.

(f) An online learning provider that is not the enrolling district is subject to the reporting requirements and review criteria under subdivision 7. A teacher with a Minnesota license must assemble and deliver instruction to online learning students. The delivery of instruction occurs when the student interacts with the computer or the teacher and receives ongoing assistance and assessment of learning. The instruction may include curriculum developed by persons other than a teacher with a Minnesota license. Unless the commissioner grants a waiver, a teacher providing online learning instruction must not instruct more than 40 students in any one online learning course or program.

Note: Current statute is attempting to differentiate between "developing curriculum" and "delivering instruction". The assumption that the curriculum per se meets or exceeds requirements for a given course of study is only to be "affirmed" by the online provider. In many instances the online provider's "courses" and "curriculum" are commercial products that often were not intended as courses of study, but rather as supplemental to locally approved courses of study.

Subd. 5. Participation in extracurricular activities.

An online learning student may participate in the extracurricular activities of the enrolling district on the same basis as other enrolled students.

Note: Students are offered the option by online providers to enroll in a fulltime secondary program with the online provider, and thus assume the status akin to an "open enrolled student." An "open enrolled student" does not have this prerogative under current law, yet it would appear that the online learner would have.

Subd. 6. **Information.** School districts and charter schools must make available information about online learning to all interested people.

Note: There are occasions where online providers have not recognized the enrolling district as an "interested people". It is suggested that the term "information" be given clearer guidelines, and does this information pertain only to a perspective enrollee.

Subd. 7. **Department of Education.** (a) The department must review and certify online learning providers. The online learning courses and programs must be rigorous, aligned with state academic standards, and contribute to grade progression in a single subject. Online learning providers must ~~affirm~~ **demonstrate** to the commissioner that online learning courses have equivalent standards or instruction, curriculum, and assessment requirements as other courses offered to enrolled students, **with the demonstration of equivalency to be validated by analysis provided the commissioner by the enrolled student's enrolling district.** The online learning provider must also demonstrate expectations for actual teacher contact time or other student-to-teacher communication. ~~Once an online learning provider is approved under this paragraph, all of its online learning course offerings are eligible for payment under this section unless a course is successfully challenged by an enrolling district or the department under paragraph (b).~~

Note: If the enrolling district is to participate in the education of its "resident" student, the burden for validation ought to perhaps lay with the enrolling district, not the Commissioner of Education.

(b) An enrolling district may challenge the validity of a course offered by an online learning provider. ~~The department must review such challenges based on the certification procedures under paragraph (a). The department may initiate its own review of the validity of an online learning course offered by an online learning provider.~~ The on-line provider shall respond to enrolling district challenges within 30 days of receiving the enrolling district's challenge. The on-line provider may refer the challenge and the on-line provider's response to the enrolling district's school board for final determination of course validity. Local school board decisions may be appealed to the commissioner by the on-line provider. ~~may refer an enrolling district's challenge to the commissioner~~

~~(c) The department may collect a fee not to exceed \$250 for certifying online learning providers or \$50 per course for reviewing a challenge by an enrolling district.~~

Note: The appeal process needs to be initiated by either the enrolling district or the online provider to the commissioner. It is untenable to appeal the validity of an online course of study to the commissioner when current law declares the commissioner to have in fact accepted the affirmed course of study to have met or exceeded the content and rigor established for Minnesota secondary curriculum leading to the high school diploma.

~~(d)~~(c) The department must develop, publish, and maintain a list of approved online learning providers and online learning courses and programs that it has reviewed and certified.

Subd. 8. **Financial arrangements.** (a) For a student enrolled in an online learning course, the department must calculate average daily membership and make payments according to this subdivision.

(b) The initial online learning average daily membership equals 1/12 for each semester course or a proportionate amount for courses of different lengths. The adjusted online learning average daily membership equals the initial online learning average daily membership times .88.

(c) No online learning average daily membership shall be generated if: (1) the student does not complete the online learning course ***as evidenced by enrolling district's recognition of the course, student receiving a passing grade, and specification of credit earned, or*** (2) the student is enrolled in online learning provided by the enrolling district, ***or (3) the enrolling district average daily membership calculation for the enrolling student equals the general education revenue available.***

Note: Current law allows for student to enroll in online provider program, at any time, with no respect to days of membership, and generate a full AMCPU. The effect would be that the enrolling district "resident district" would receive no general education revenue for that student.

(d) Online learning average daily membership under this subdivision for a student currently enrolled in a Minnesota public school shall be used only for computing average daily membership according to section 126C.05, subdivision 19, paragraph (a), clause (ii), and for computing online learning aid according to section 124D.096.

Subd. 9. Repealed, 1Sp2005 c 5 art 2 s 85

Subd. 10. **Online Learning Advisory Council.** (a) An Online Learning Advisory Council is established under section 15.059, except that the term for each council member shall be three years. The advisory council is composed of 12 members from throughout the state who have demonstrated experience with or interest in online learning. The members of the council shall be appointed by the commissioner. The advisory council shall bring to the attention of the commissioner any matters related to online learning and provide input to the department in matters related, but not restricted, to:

- (1) quality assurance;
- (2) teacher qualifications;
- (3) program approval;
- (4) special education;

124D.096 On-line learning aid.

(a) The on-line learning aid for an on-line learning provider equals the product of the adjusted on-line learning average daily membership for students under section 124D.095, subdivision 8, paragraph (d), times the student grade level weighting under section 126C.05, subdivision 1, times the formula allowance.

(b) Notwithstanding section 127A.45, the department must pay each on-line learning provider 80 percent of the amount in paragraph (a) within 45 days of receiving final enrollment and course completion information each quarter or semester. A final payment equal to 20 percent of the amount in paragraph (a) must be made on September 30 of the next fiscal year.

(c) In those instances where student adjusted ADM exceeds general education formula revenue available, the enrolling district shall be paid in accord with its reported adjusted ADM prior to payment being made to the on-line learning provider.

Note: There are discrepancies in operation between a local district's compulsory attendance obligations, and the online provider. It is entirely possible, and probable, that a learner could attend a Minnesota public high school for the first semester, and second semester enroll in 12 semester courses, resulting in the online provider receiving full general education revenue allowed the online provider, and the enrolling district receiving nothing.

The question becomes whether or not the online provider is defined to award credits based upon credits irrespective of seat time, a combination of credit and seat time, or all seat time. Any one of the combinations will result in calculating an AMCPU for general education revenue purposes. As example: Student "A" enrolls in Thief River Falls High School and begins attending in September 2005. After Christmas, and four months of attendance as a full time student, Student "A" decides that an on-line learning program is in his/her best interest and enrolls full time in On-line High School, which operates as a credit based on-line high school. Student "A" completes 12 semester courses, or six credits between January 2, 2006 and March 31, 2006. On-line High School will receive the general education revenue of \$6,347.90, less 12% for the enrolling district (same as PSEO). The enrolling district will receive no revenue for the four months of instruction provided Student "A".

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S.F. No. 3111 - Online Learning Option Act Modifications

Author: Senator Tom Saxhaug

Prepared by: Ann Marie Butler, Senate Counsel (651/296-5301)

Date: March 27, 2006



Section 1 [Authorization; notice; limitations on enrollment.] requires an online learning provider to comply with the application and notification procedures and timelines applicable to an enrollment options program. Prevents the Department of Education from reducing a school district's general education revenue if a student enrolls in online learning after the start of the school year.

Section 2 [Online Learning Parameters.] allows a student's enrolling district, prior to the student's online learning enrollment, to review the online course syllabus, content, performance requirements, and evaluation criteria to determine if secondary credit will be awarded for the course. Completion of the course is evidenced by the student's transcript. A reduction in teacher contact time resulting in reduced salary or benefits is prohibited unless the reduction is made according to the statutes pertaining to teacher continuing contracts or teacher

tenure, whichever is applicable.

Section 3 [Department of Education.] requires the online learning provider to demonstrate, instead of affirm, that the courses are equivalent to other courses offered to enrolled students. The enrolling district must validate the online learning provider's analysis. The online provider must respond to the district's challenges within 30 days. The online provider may refer the issue to the enrolling district's school board for final determination. The local board decision may be appealed to the commissioner.

Section 4 [Financial Arrangements.] limits the generation of online learning average daily membership if the enrolling district does not recognize the online course or the enrolling district average daily membership calculation for the enrolling student equals the general education revenue available.

Section 5 [On-Line Learning Aid.] allows the enrolling district to be paid according to its adjusted average daily membership before payment is made to the online provider if a student's adjusted average daily membership exceeds the general education formula revenue.

AMB:mvm

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**S.F. No. 2977 - Comprehensive family life and sexuality
education programs**

Author: Senator Sandra Pappas

Prepared by: Shelby Winiecki, Senate Research (651/296-5259)

Date: March 27, 2006

Section 1 [Comprehensive family life and sex education programs.]

Subdivision 1 [Definitions.] defines "comprehensive family life and sexuality education" as education in grades seven through 12 that includes an abstinence-first approach to delaying initiation of sexual activity and the use of protection and contraception.

Subdivision 2 [Curriculum requirements.] allows for a school district to independently establish their policy and curriculum.

Subdivision 3 [Notice and parental options.] requires districts to establish procedures on providing parents or guardians with reasonable notice regarding the comprehensive family life and sex education program and the opportunity to inspect any educational materials. If the parent chooses not to have their child participate, the district must reasonably restrict that child's access to the material.

Subdivision 4 [Assistance to school districts.] indicates that the Department of Education may establish regional training sites to provide training, technical assistance, issue management and policy development, and funding for grants for school-based programs.

Section 2 [Repealer.] repeals section 121A.23 [Programs to prevent and reduce the risks of sexually transmitted infections and diseases].

SEW:mvm



Sexuality Education for Life-Minnesota

Sexuality Education for Life – Minnesota is a coalition of educational, religious, health, social service, and advocacy organizations, as well as concerned individuals that promotes lifelong healthy sexuality by advocating for policies on comprehensive sexuality education and access to confidential health care services.

KEY VALUES

Comprehensive Sexuality Education

- We support effective comprehensive sexuality education programs because research shows that they can help delay the onset of sexual intercourse and reduce the negative outcomes among those who are sexually involved.
- We believe young people have the right to complete, medically accurate, and developmentally appropriate sexuality information and resources to help them make healthy choices.
- We respect young people's capacity to make responsible decisions about their sexuality.
- We believe abstinence is a key component of comprehensive sexuality education and that young people deserve support and respect for postponing sexual involvement.
- We recognize that comprehensive sexuality education respects the diverse backgrounds of all individuals.
- We believe that comprehensive sexuality education can result in positive outcomes for the whole community when parents, caregivers, youth, and trained sexuality educators share the responsibility.
- We believe that parents, caregivers and other trusted adults are the most important role models for their children regarding sexuality and that professionals can work in partnership to assist them to be their children's primary sexuality educators.

Access to Confidential Health Care Services

- We support young people's right to consent to and access confidential healthcare services related to emergency medical care, contraception, pregnancy related care, treatment for sexually transmitted infections, mental health services, and treatment for drugs and alcohol use.
- We believe the confidentiality that is assured by a minor's right to consent is a basic principle essential in promoting the health of adolescents.
- We believe that health care professionals help adolescents reconnect and communicate better about their health needs with parents and other caring adults.

American Red Cross—St. Cloud Chapter
 American Teen Clinic
 Call to Action/Fremont Clinic
 Camp Fire USA – Minnesota Council
 Central Avenue Clinic
 Children's Hospitals and Clinics
 The City, Inc.
 Comadres Program-Neighborhood House
 Common Health Clinic
 Dads Make a Difference
 Division of Indian Work
 Face to Face Health and
 Counseling Service
 Family Tree Clinic
 Health Start
 Konopka Institute for Best Practice in
 Adolescent Health
 Lutheran Social Service
 Midwest Health Center for Women
 Minneapolis Dept. of Health and
 Family Support
 Minneapolis Urban League
 Minnesota AIDS Project
 Minnesota Family Planning and
 STD Hotline
 Minnesota Nurses Association
 Minnesota NOW
 Minnesota Organization on Adolescent
 Pregnancy, Prevention, and Parenting
 Minnesota Public Health Association
 Minnesota Religious Coalition for
 Reproductive Choice
 NARAA Pro-Choice Minnesota
 Neighborhood Health Care Network
 Nub Clinic
 Osseo Parents for Straight Talk About Sex
 Outfront Minnesota
 Outlook Health Services
 Planned Parenthood of MN/SD
 Pro-Choice Resources
 Program in Human Sexuality –
 University of Minnesota
 Project Foundation for Homeless Youth
 Rape and Sexual Abuse Center
 Rum River Health Services, Inc.
 Saint Paul-Ramsey County Department of
 Public Health
 School Nurses Organization of Minnesota
 Sensibilities, Inc.
 Sexuality and Family Life Educators
 Teenage Medical Service
 Uptown Community Clinic
 West Side Community Health Services
 West Suburban Teen Clinic
 Women's Health Center, Duluth
 YWCA of Minneapolis
 Youth and AIDS Project

Sexuality Education for Life-Minnesota provides coalition members with:

- Information to help raise awareness and understanding among elected officials and the general public about the value and importance of comprehensive sexuality education and minors' access to confidential health care services.
- Support in contacting elected officials and discussing their stance on comprehensive sexuality education and minors' access to confidential health care services.
- Support in conducting advocacy activities, such as, letter writing, phoning elected officials, attending hearings, and providing testimony:
- Resources to involve youth and parents in the process.
- Frequent trainings and updates around comprehensive sexuality education and minors' access to confidential health care services.

Sexuality Education for Life-Minnesota is coordinated by the Minnesota AIDS Project (MAP) and the Minnesota Organization on Adolescent Pregnancy, Prevention, and Parenting (MOAPPP).

For more information about Sexuality Education for Life-Minnesota or to become an individual or agency member go to www.SexEdforLife.org or contact:

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Support sexuality education that is age-appropriate, comprehensive, evidence-based and medically accurate.

Support comprehensive sexuality education throughout the educational experience.

Support sexuality education for adolescents that provides information on abstinence and contraception to prevent sexually transmitted infections (STIs), HIV/AIDS, and unintended pregnancy.

Work to ensure that Minnesota policies direct school districts to provide comprehensive, medically accurate and developmentally appropriate sexuality education.

Support Comprehensive Sexuality Education

Adolescent sexual health issues, like teen pregnancy and sexually transmitted infections (STIs) must be addressed with complex prevention efforts, including comprehensive sexuality education; that is, developmentally appropriate education for all ages throughout the educational experience.

Comprehensive sexuality education includes medically accurate and developmentally appropriate information on abstinence and contraception.

Comprehensive Sexuality Education Works

- Research shows that comprehensive sexuality education is effective in providing adolescents with the tools, the knowledge, the skills, the attitude and values to make responsible choices about their sexual health.¹
- Comprehensive sexuality education programs that discuss both abstinence and contraception, including condoms, do not increase sexual activity among teens; rather, such programs often delay first intercourse, reduce the frequency of sex, and reduce the number of sexual partners.¹
- Also in recent years, the decline of teen pregnancy rates has been attributed not only to an increase in abstinence among adolescents, but also to an increase in contraceptive use.²

Minnesotans Support Comprehensive Sexuality Education

- 7 out of 10 Minnesota adults believe that sexuality education should include both abstinence and contraception.³
- 9 out of 10 Minnesotans support comprehensive sexuality in high schools; 8 out of 10 support comprehensive sexuality education in junior high schools.³
- 8 out of 10 Minnesota parents reject the idea that teaching both abstinence and contraception encourages young people to have sex.³

Abstinence-Only-Until-Marriage Education Does NOT Work

- Abstinence-only-until-marriage education offers abstinence as the only option, does not include any information on contraception or prevention of STIs, relies on scare tactics and overstates contraception failure rates, and does not provide young people with information they will need for healthy lives.
- The only research on abstinence-only-until-marriage education programs found an increased number of young people had sex and that fewer used contraception.⁴
- Abstinence-only-until-marriage education imposes only one set of values as morally correct regardless of family composition, cultural experience, religious beliefs, and sexual orientation.
- Abstinence-only-until-marriage education can shame and fail to address young people who have been sexually abused or sexually assaulted.

¹ Kirby D. Emerging answers: research findings on programs to reduce teen pregnancy. Washington, D.C.: National Campaign to Prevent Teen Pregnancy. 2001.

² Darroch JE and Singh S. Why is teenage pregnancy declining? The roles of abstinence, sexual activity and contraceptive use. Occasional Report, New York: The Alan Guttmacher Institute. 1999;1.

³ Minnesota Sexuality Education Survey. MN Organization on Adolescent Pregnancy, Prevention, and Parenting, 2000.

⁴ Kirby D, Korpi M, Barth RP, Cagampang HH. Evaluation of Education Now and Babies Later (ENABL): Final Report. 1995



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Sexuality Education for Life-Minnesota is coordinated by the Minnesota AIDS Project (MAP) www.mnidsproject.org and the Minnesota Organization on Adolescent Pregnancy, Prevention and Parenting (MOAPPP) www.moapppp.org For more information on Sexuality Education for Life-Minnesota: www.SexEdforLife.org

- 2.20 (2) how the parents or guardians may inspect the written and audio/visual
 2.21 educational materials used in the program and the process for inspection;
 2.22 (3) if the program is presented by school district personnel or outside c
 2.23 and if outside consultants are used, who they may be; and
 2.24 (4) parents' or guardians' right to choose not to have their child partic
 2.25 program and the procedure for exercising that right.
 2.26 (d) A school district must establish policies and procedures for reasonab
 2.27 the availability of written and audio/visual educational materials from pu
 2.28 students who have been excused from all or part of a comprehensive family
 2.29 sexuality education program at the request of a parent or guardian.
 2.30 Subd. 4. Assistance to school districts. (a) The Department of Educat
 2.31 offer services to school districts to help them implement effective compre
 2.32 life and sexuality education programs. In providing these services, the c
 2.33 contract with a school district, or a school district in partnership with
 2.34 or a nonprofit organization, to establish up to eight regional training si
 2.35 account geographical balance, to provide:
 3.1 (1) training for teachers, parents, and community members in the developr
 3.2 comprehensive family life and sexuality education curriculum or services a
 3.3 for monitoring and evaluation activities;
 3.4 (2) resource staff persons to provide expert training, curriculum develop
 3.5 implementation, and evaluation services;
 3.6 (3) technical assistance to promote and coordinate community, parent, and
 3.7 forums in communities identified as having high needs for comprehensive fa
 3.8 and sexuality education;
 3.9 (4) technical assistance for issue management and policy development trai
 3.10 school boards, superintendents, principals, and administrators across the
 3.11 (5) funding for grants to school-based comprehensive family life and sexu
 3.12 education programs to promote innovation and to recognize outstanding perf
 3.13 promote replication of demonstrably effective strategies.
 3.14 (b) Technical assistance provided by the department to school districts c
 3.15 training sites may:
 3.16 (1) promote instruction and use of materials that are age appropriate;
 3.17 (2) provide information that is medically accurate and objective;
 3.18 (3) provide instruction and promote use of materials that are respectful
 3.19 and commitments in relationships;
 3.20 (4) provide instruction and promote use of materials that are appropriate
 3.21 with pupils and family experiences based on race, gender, sexual orientati
 3.22 and cultural background, and appropriately accommodate alternative learni
 3.23 language or disability;
 3.24 (5) provide instruction and promote use of materials that encourage pupil
 3.25 communicate with their parents or guardians about human sexuality;
 3.26 (6) provide instruction and promote use of age-appropriate materials that
 3.27 abstinence from sexual intercourse as the only certain way to prevent unir
 3.28 pregnancy or sexually transmitted infections, including HIV, and provide i
 3.29 about the role and value of abstinence while also providing medically accu
 3.30 on other methods of preventing and reducing risk for unintended pregnancy
 3.31 transmitted infections;
 3.32 (7) provide instruction and promote use of age-appropriate materials that
 3.33 medically accurate in explaining transmission modes, risks, symptoms, and
 3.34 sexually transmitted infections, including HIV;
 4.1 (8) provide instruction and promote use of age-appropriate materials that
 4.2 varied societal views on sexuality, sexual behaviors, pregnancy, and sexua
 4.3 infections, including HIV, in an age-appropriate manner;
 4.4 (9) provide instruction and promote use of age-appropriate materials that
 4.5 information about the effectiveness and safety of all FDA-approved methods
 4.6 preventing and reducing risk for unintended pregnancy and sexually transmi
 4.7 infections, including HIV;
 4.8 (10) provide instruction and promote use of age-appropriate materials tha
 4.9 instruction in skills for making and implementing responsible decisions at
 4.10 (11) provide instruction and promote use of age-appropriate materials tha

4.11 instruction in skills for making and implementing responsible decisions at
4.12 using health services; and
4.13 (12) provide instruction and promote use of age-appropriate materials tha
4.14 teach or promote religious doctrine nor reflect or promote bias against ar
4.15 basis of any category protected under the Minnesota Human Rights Act, cha

1.16 Sec. 2. REPEALER.
1.17 Minnesota Statutes 2004, section 121A.23, is repealed.

Please direct all comments concerning issues or legislation
to your House Member or State Senator.

For Legislative Staff or for directions to the Capitol, visit the Contact Us page.

General questions or comments.

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St. Cloud
St. Joseph
Waite Park

February 8, 2006

To Whom It May Concern:

I heard that the State of Minnesota is considering legislation to fund character education in our schools. I feel compelled to share our school's experiences as it relates to character education.

I am the principal at Lincoln Elementary School, St. Cloud, Minnesota. The school has incurred a great deal of transition; transition in leadership, teaching staff and due to a new K-6 configuration in 2003 a transition in student population and grade configuration. Lincoln School is a school some might consider "at-risk" due to our statistics and demographics. Eighty five percent (85%) of our student population comes from homes living below the poverty income level. Our Special Education population is 24%, which is higher than the state average and our district's average. Our mobility rate for 2004-2005 was 80%, which included summer transfers and transfers within the district. The population in grades K-4 who qualify for Title I (Math and Reading support) is 41%.

When I began the position of school principal I interviewed the staff and asked two questions. One, what is the best thing about Lincoln? and 2) what is an area needing improvement? The majority answered question one by saying "the children" and all answered question two the same, which was "safety and student discipline." The school as a facility had severe security issues and safety issues due to students operating without expectations, structure and accountability. Safety was a major concern. Our student population was 350 and we ended the 2004-2005 school year with 1200 referrals.

Academically we were struggling. In 2003-2004 our 3rd and 5th grade Reading and Math scores on the MCA's (Minnesota Comprehensive Assessments) were dramatically low; we only made our Target Index by 4 and 9 points respectively. Our Math score average was 69% in the sub group of Free and Reduced Lunch and our Reading score was 69% for all students.

Intuitively, I felt the school had 'potential' and there seemed to exist a sense of heart and pride but the days were so turbulent with student issues I never seemed to have time to tap into that potential; it was never calm long enough for me to discover what Lincoln School could become. The school was basically in turmoil due to behavioral issues, which ultimately were impacting our academics in a very negative manner. I realized early that the entire school community desperately needed something, a program or process, that establish a 'common language.' I needed to create an infrastructure for Lincoln School; a common foundation. A foundation, which was shared by all staff, students and parents and consistent in application.

Colleagues in other schools in St. Cloud were reporting improvements in the culture and climate of their buildings after using the Changing Lives character education program for only a few weeks. Conversations with them created a hope within me for change at Lincoln Elementary.

We implemented the Changing Lives program with all students in our building in January of 2005. A Changing Lives speaker presented an in-service workshop for our staff. We were confident that the intentional steps in the program were giving us what we needed to transform the culture and climate of our school, improving the learning environment at Lincoln.

By the summer of 2005, transformation had begun. A calmness had come over the school. Teachers and students were feeling safer. Morale was higher. Staff members were excited to attend a Changing Lives Leadership Training Seminar at the offices of Mark1 (the developer of the program) in Litchfield, Minnesota. There we learned more about the program. We grew to better understand that the learning environment in which we teach is a critical element in education.

The Changing Lives Leadership Training helped us realize that those methods are merely single pieces. We saw how Changing Lives was giving us the whole plan to change the culture and climate of our school by focusing on character. We can now utilize all the training we have received.

Now, after infusing Changing Lives into our school for only two semesters, the improvements we've seen are outstanding. We have developed a common language that allows us to focus on areas of agreement; this has created unity. We discuss the character traits presented in the Changing Lives program throughout the school—in the classroom, in the lavatory, in the lunchroom, in the hallway and on the buses. The students now care about their school and are taking pride in their school and themselves.

* With the positive changes in the learning environment at Lincoln Elementary, students also care about their grades. Our Math and Reading scores on the MCA's are now 89%; we surpassed our Target Index by 27 points!

Discipline referrals have been reduced by over 50%. With the decrease in discipline issues, we are able to spend more time teaching our students. Before Changing Lives we just knew the "bad kids". Now we know all the kids. We reinforce the good behaviors and give positive praise. The transformation in the culture and climate of our school is affecting students and teachers alike. Morale is high. In the last year, we saved 50 days of substitute teacher costs.

Lincoln Elementary, once a Three Star school is now, proudly, a Four Star school as reported by the Minnesota Department of Education Report Card. Only 115 elementary schools in MN were awarded Four Stars and Lincoln is honored to be one of them.

I encourage the funding of comprehensive character education programs in the state of Minnesota. I stress, however, the need for implementation of a complete program that has been researched and proven effective. Character awareness programs have long been available in education. They do not facilitate the transformation produced by implementation of a program such as Changing Lives. The program is the 'common language' schools need to create safe, healthy and academically rich environments.

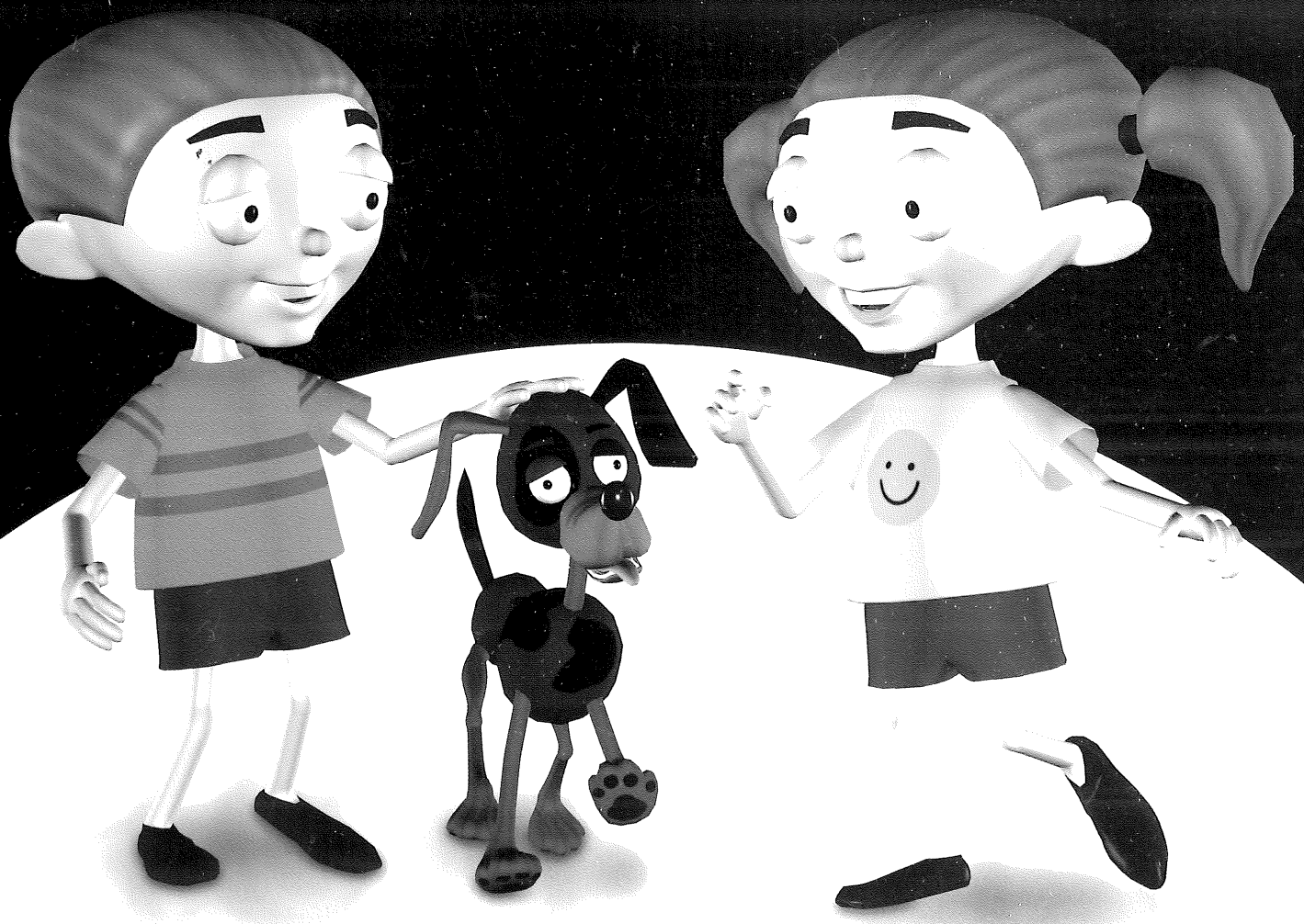
If I can be of further assistance please do not hesitate to call me at (320) 251-6343.

Best Regards,



Lori Lockhart, Principal
Lincoln Elementary School
St. Cloud, Minnesota

CHANGING CHARACTER CURRICULUM LIVES



my activity book — grade 3

My Activity Book

GRADE 3

Children are like seeds that grow into young plants, eventually growing into maturity, yielding fruits in their season and providing useful benefits to others.

— R.S. Bernardo

NAME _____

YEAR _____

SCHOOL _____

TEACHER _____

PREFACE

This activity book is dedicated to all the children of the world. The verses and quotations will teach you important character traits that are useful in life. May these words remain a part of you in thoughts, words and deeds.

ACKNOWLEDGEMENTS

Some of the verses and excerpts included in this activity book were taken from *For Memory's Garden* by Lucia May Wiant, from the *JSB's System of Moral Recovery Movement*, and from famous people or quotations. Their help in preparing this booklet is hereby acknowledged.

My Activity Book: Grade 3

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SEVEN GUIDEPOSTS IN LIFE

By Jose Salvador Bernardo

1. Life is what we make it, so follow what your good conscience dictates.
2. Earn trust, love and respect of others for yourself. Do not simply ask or expect it from them.
3. Build a habitual daily record for doing far more good than bad to others. Avoid involving yourself in unnecessary troubles.
4. Develop the habit of exercising extreme honesty unless you have a valid and sacred reason for not doing so. Avoid telling lies.
5. Make your today better than yesterday—your tomorrow better than today.
6. Develop the habit of conquering worthy little goals.
7. No matter what vehicle in life you are riding on, serve your country in the best way you can. Love your fellow man.

HOW TO USE THIS ACTIVITY BOOK

Each Monday, you will be told the Word of the Week and given its definition. There will be some thoughts to ponder and poems or verses to memorize. You will be asked to write the Word of the Week in your best handwriting.

On Tuesdays, Wednesdays and Thursdays during the homeroom period or the time designated by your school, you will be doing different activities. You may be asked to write sentences, list ideas, discuss the meaning of verses, rhymes, poems, thoughts to ponder and how it will help you become a better person.

On Fridays, you may be asked to draw or color pictures, write sentences or short stories.

PUNCTUALITY

This means to be on time; finish or arrive on time; be punctual with work.

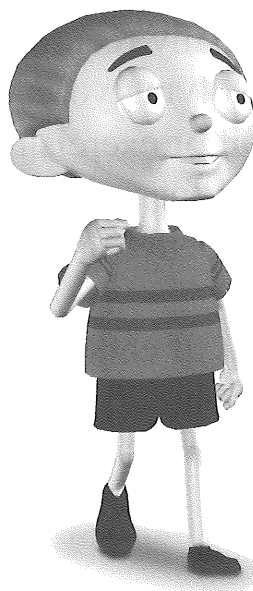
Thoughts to Ponder...

“The early bird gets the worm.”




— Old Proverb

“An inch of gold will not buy an inch of time.”

— Chinese Proverb



Punctuality in School Means:

-  I will arrive at school on time.
-  I will complete and turn in my work on time.
-  I will not leave for tomorrow what I can do today.

MONDAY

Write the word punctuality two times and write the definition.

TUESDAY

Write two sentences telling why you want your guests to arrive on time to a party.

WEDNESDAY

Make a list of occasions in which you need to be on time.

THURSDAY

List what you can do if you cannot be punctual.

FRIDAY

I have to be at Place at Time.

Write two more.

PROMPTNESS

This means to be ready, quick; on time, punctual.

Thoughts to Ponder...

“The time is always right to do what is right.”




— Martin Luther King Jr.

“I recommend you take care of the minutes, for the hours will take care of themselves.”

— Lord Chesterfield (Letter to His Son)



Promptness in School Means:

-  I will prepare myself for class in a timely manner.
-  I will be on time to all activities.
-  I will be ready to respond to questions.

MONDAY

Write the word promptness two times and use it in a sentence.

TUESDAY

List some steps you can take to make sure that you are prompt to school.

WEDNESDAY

Write a consequence for not being prompt to school and baseball practice.

THURSDAY

Describe why promptness is important for either a firefighter or a police officer.

FRIDAY

List two reasons why your family, friends and teachers like you to be prompt.

READINESS

This means to be prepared for immediate use of action. To be mentally and physically prepared for an experience or an action.

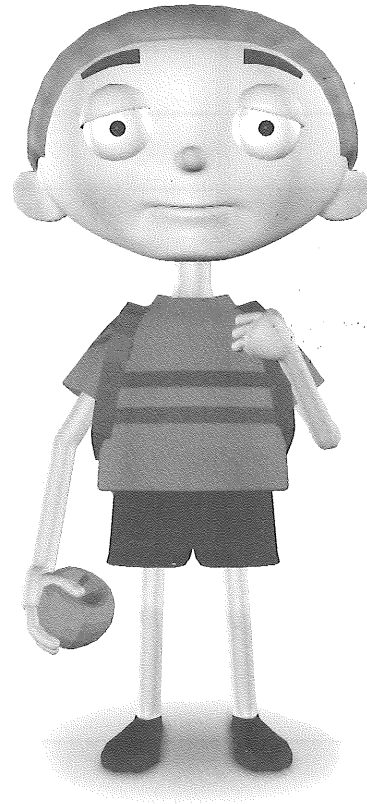
Thoughts to Ponder...

“Most people put off until tomorrow that which they should have done yesterday.”




— Edgar W. Howe

“The best preparation for good work tomorrow is to do good work today.”

— Elbert Hubbard



Readiness in School Means:

-  I will “warm up” for my day.
-  I will come prepared with everything I need.
-  I will be ready to learn.

MONDAY

Write the word readiness two times and use it in a sentence.

TUESDAY

Name four items you need each day to be prepared for class.

WEDNESDAY

Tell two things that players need to do to prepare for a game.

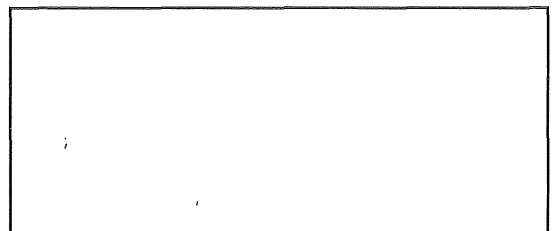
THURSDAY

Tell two results that could happen if the players did not do those things to prepare.

FRIDAY

Name a person who has shown readiness in your school or community.

Draw a picture of him/her in the box.



RESPONSIBILITY

This means to be responsible; obliged to carry out or take care of, as duty, trust or debt; reliable; trustworthy.

Thoughts to Ponder...

*“Little Boy Blue,
come blow your horn.
The sheep’s in the meadow,
The cow’s in the corn.
Where is the boy
who looks after the sheep?
He’s under the haystack
fast asleep.”*

— Mother Goose Nursery Rhyme

*“You cannot escape the
responsibility of tomorrow
by evading it today.”*




— Abraham Lincoln

*“You cannot do more than
your duty; you should never
wish to do less.”*

— Robert E. Lee



Responsibility in School Means:

-  I will take care of my personal belongings.
-  I will carry out my duties as a student.
-  I will be trustworthy.

MONDAY

Draw a picture of a time when you showed responsibility.

TUESDAY

List things that you are responsible for in school.

WEDNESDAY

Describe the responsibilities of an adult that you know.

THURSDAY

At home, I am responsible for:

I am also responsible for:

FRIDAY

Little Boy Blue, come blow your horn.
The sheep's in the meadow,
The cow's in the corn.
Where is the boy who looks after the sheep?
He's under the haystack fast asleep.

Did Little Boy Blue behave responsibly?
Why or why not? _____

Respectfulness

This means to have and show high regard for others; to treat with courtesy or consideration.

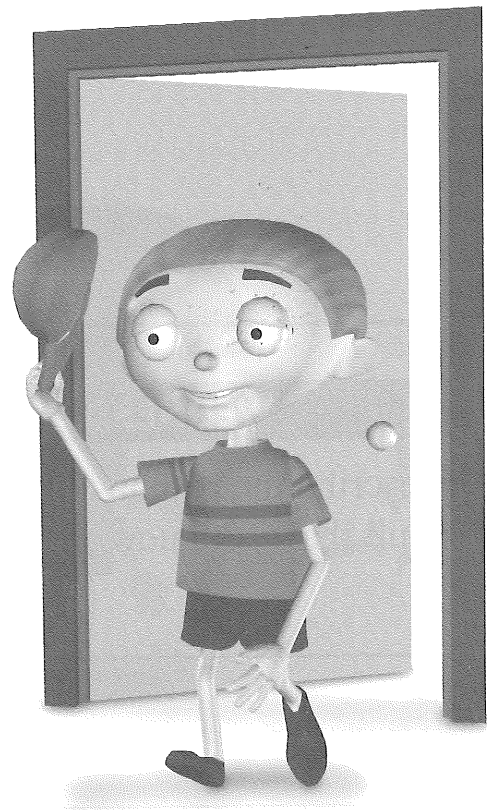
Thoughts to Ponder...

"A bit of fragrance always clings to the hand that gives you roses."




— Chinese Proverb

"The value of man should be seen in what he gives and not in what he is able to receive."

— Albert Einstein



Respectfulness in School Means:

-  I will show respect to my peers and teacher.
-  I will always show consideration for others.
-  I will be polite and use my best manners.

MONDAY

Write the word respectfulness two times and use it in a sentence.

TUESDAY

Draw a picture of someone you respect. That person's name:

WEDNESDAY

Write a paragraph to tell why you respect the person you drew yesterday.

THURSDAY

R _____

E _____

S _____

P _____

E _____

C _____

T _____

FRIDAY

Draw a comic strip or cartoon showing the characters being respectful.

DEPENDABILITY

This means to be dependable, reliable and worthy of trust.

Thoughts to Ponder...

“A promise made is a debt unpaid.”




— George MacDonald

“There are two very difficult things in the world. One is to make a name for oneself and the other is to keep it.”

— Robert Schumann



Dependability in School Means:

-  I will complete tasks that are assigned.
-  I will perform my school duties.
-  I will keep my promises.

MONDAY

Write the word dependability two times.

List four people that you depend on everyday.

TUESDAY

Draw a picture that demonstrates you being dependable.

WEDNESDAY

Describe some ways that you depend on your teacher.

THURSDAY

In what ways do others depend on you?

FRIDAY

What would be the consequences if we didn't have dependable people around us? _____

OBEDIENCE

This means the act, habit, or condition of obeying; compliance with rules, regulations or laws.

Thoughts to Ponder...

“Character lies in obedience to the law, irrespective of whether one likes the law, believed in it, or is opposed to it.”

— John D. Rockefeller Jr.



Obedience in School Means:

- ☺ I will follow the rules.
- ☺ I will respect my teacher and peers.
- ☺ I will obey the authority figures in my school and do what is asked of me.

MONDAY

List the people that you obey.

TUESDAY

Name a school rule:

Why is that rule important?

WEDNESDAY

What would be the immediate consequences of a world with NO laws?

THURSDAY

Draw a picture of a sign that a driver must obey.

FRIDAY

Draw a picture of how a pet may be obedient.



SELF-CONTROL

This means to be in control of one's emotions or actions.

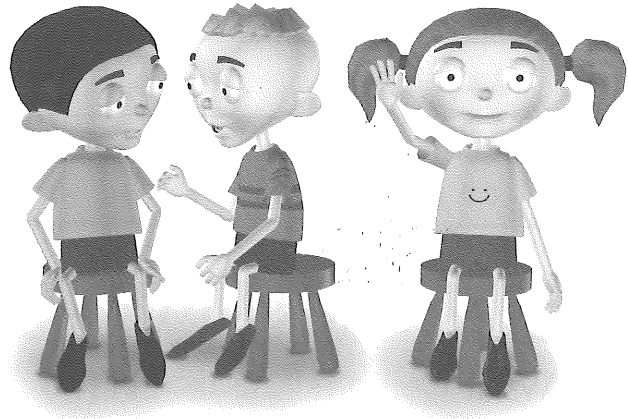
Thoughts to Ponder...

“Even if you're on the right track, you'll get run over if you just sit there.”




— Will Rogers

“If it is not right, do not do it; if it is not true, do not say it.”

— Marcus Aurelius



Self-Control in School Means:

-  I will think before I act.
-  I will stay on task.
-  I will take responsibility for my actions.

MONDAY

Write the word self-control two times in your best handwriting.

Write the definition.

TUESDAY

Why is it important that you remain calm and show self-control? Explain why.

WEDNESDAY

Write a time schedule for how you complete homework each night.

—:—	_____
—:—	_____
—:—	_____
—:—	_____
—:—	_____

THURSDAY

Draw a picture of a teamwork situation in which members are using self-control.

FRIDAY

List some situations in which you would need to practice self-control.

★ POLITENESS

This means showing consideration for others; mannerly.
Refined; cultured.

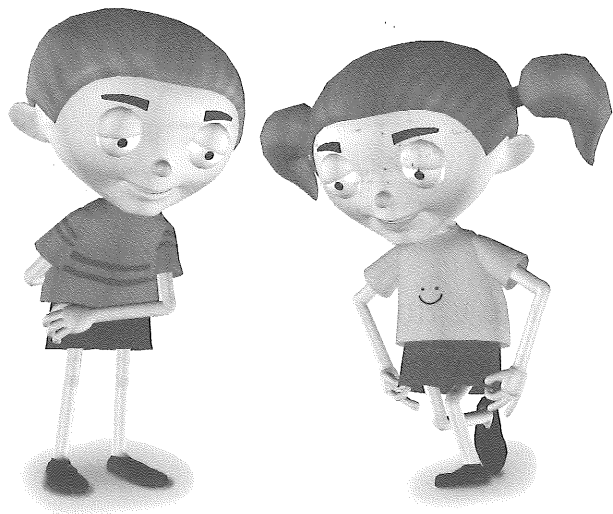
Thoughts to Ponder...

*“Pleasant words are honey
on the tongue and music to
the ear.”*

— Old Proverb

*“It is not sufficient to know
what one ought to say, but
one must also know how to
say it.”*

— Aristotle



Politeness in School Means:

- ☆ I will use kind words when speaking to others.
- ☆ I will not hurt others' feelings.
- ☆ I will be courteous.

MONDAY

Describe what being polite means to you.

TUESDAY

Fill in the blanks with polite words.

You receive a present. You say _____.

Your mom thanks you for sweeping the floor. You say _____.

You need your brother to fix something. You say _____.

You need to give a message to Grandma who is talking on the phone. You say _____.

WEDNESDAY

Draw a picture with this caption: "May I help you?"

May I help you?

THURSDAY

Who is the most polite person you know?

Write examples of how that person exhibits polite behavior.

FRIDAY

If someone bought you a gift that you already have, what would be the polite response? _____



TRUTHFULNESS

This means to tell the truth and be a truthful person. To be faithful to truth or the facts.

Thoughts to Ponder...

“Things are never quite the same somehow after you have to lie to a person.”

— Christopher Morley

“Truth is always the strongest argument.”




— Sophocles

“This is the punishment of the liar; he is not believed even when he speaks the truth.”

— The Talmud



Truthfulness in School Means:

-  I will be honest with my teacher, my peers and myself.
-  I will be sincere with my words.
-  I will tell the truth in all situations.

MONDAY

Write the word truthfulness two times.

Use the word truth in a sentence.

TUESDAY

Why is being truthful best?

WEDNESDAY

Describe a time in your life when you decided to tell the truth.

THURSDAY

Make a list of the people in your life that are truthful, honest and sincere.

FRIDAY

What do you think this quote by Christopher Morley means? *"Things are never quite the same somehow after you have to lie to a person."*

Honesty

This means to be truthful, fair and trustworthy. It means to not steal, lie or cheat.

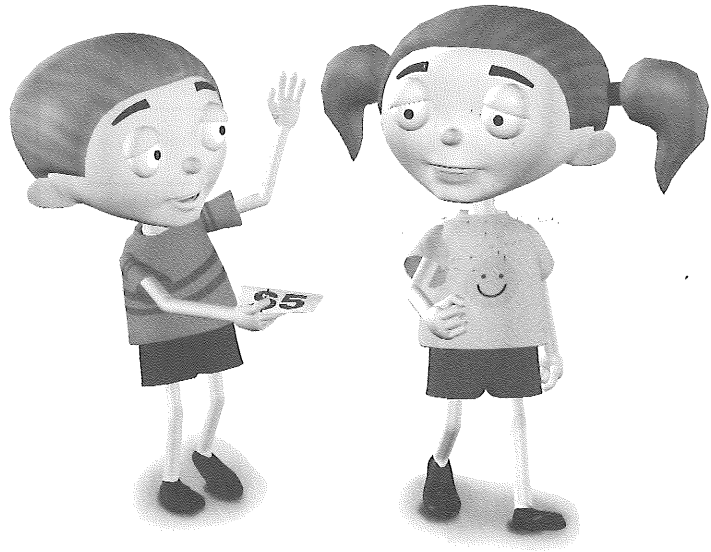
Thoughts to Ponder...

"A half-truth is a whole lie."




— Author Unknown

"A man who seeks truth and loves it must be reckoned precious to any human society."

— Frederick the Great



Honesty in School Means:

-  I will tell the truth.
-  I will be fair when working and playing.
-  I will not steal or cheat.

MONDAY

Complete this sentence: I am an honest person because...

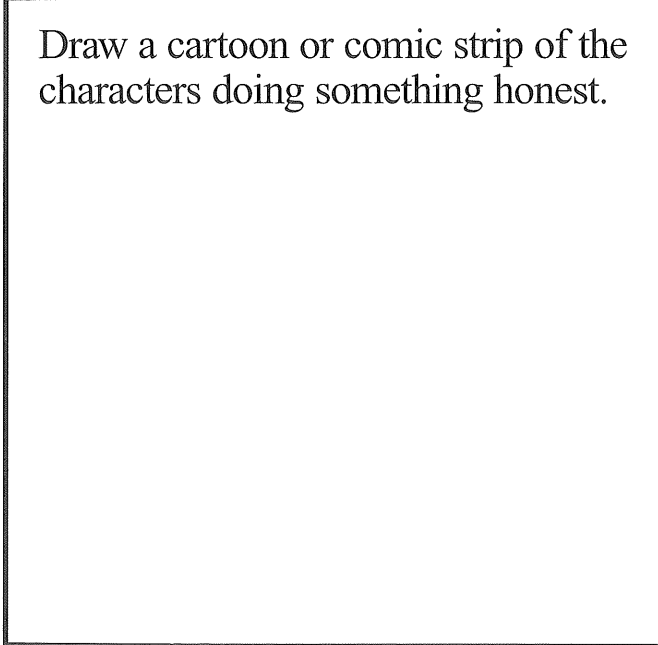
TUESDAY

Circle the honest solutions.

1. You find a wallet. Solution:
 - Keep the wallet
 - Return it to its owner
2. You have a test. Solution:
 - Cheat off your friend
 - Study
3. You spill juice. Solution:
 - Tell mom you did it
 - Blame it on your sister

WEDNESDAY

Draw a cartoon or comic strip of the characters doing something honest.



THURSDAY

List some consequences that can happen if people are not honest.

FRIDAY

What do you think this quote means? *"A half-truth is a whole lie."*

KINDNESS

This means to be kind, willing to help, gentle, friendly and sympathetic.

Thoughts to Ponder...

"The way something is given is worth more than the gift itself."

— French Proverb

"Kindness is the oil that takes the friction out of life."

— Author Unknown



Kindness in School Means:

- ♥ I will be considerate when working and playing.
- ♥ I will use polite words when speaking.
- ♥ I will help others.

MONDAY

Describe a time this week when you were kind.

TUESDAY

Draw a picture that demonstrates that time when you were kind.

WEDNESDAY

If your friend is feeling down and sad, what are some kind words or phrases that you could say to that friend?

THURSDAY

Illustrate a picture of two friends speaking kindly to each other.

FRIDAY

Use the word kind in a sentence.



THANKFULNESS

This means to express gratitude or to give thanks.

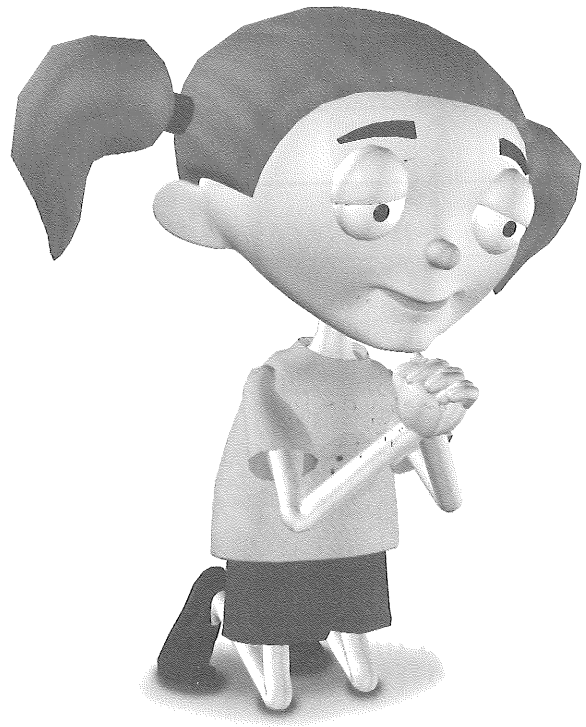
Thoughts to Ponder...

“Appreciation not expressed is like a good book that is left unread.”

— Author Unknown

“For health and strength and daily bread, we give thanks today.”

— Old Song



Thankfulness in School Means:

- 🍇 I will be grateful for the resources I am given.
- 🍇 I will show thankfulness by praising others.
- 🍇 I will remember to say “Thank you.”

MONDAY

List things that you have at home that you are thankful for.

TUESDAY

Complete the sentences describing some of the people you are thankful for.

I am thankful for _____
because he/she _____.

I am thankful for _____
because he/she _____.

I am thankful for _____
because he/she _____.

WEDNESDAY

List things at school that you are thankful for.

THURSDAY

Draw a picture of one of your talents that you are thankful for having.

FRIDAY

What are some ways that we can express our gratitude and give thanks to others?



GENEROSITY

This means to be generous and unselfish.

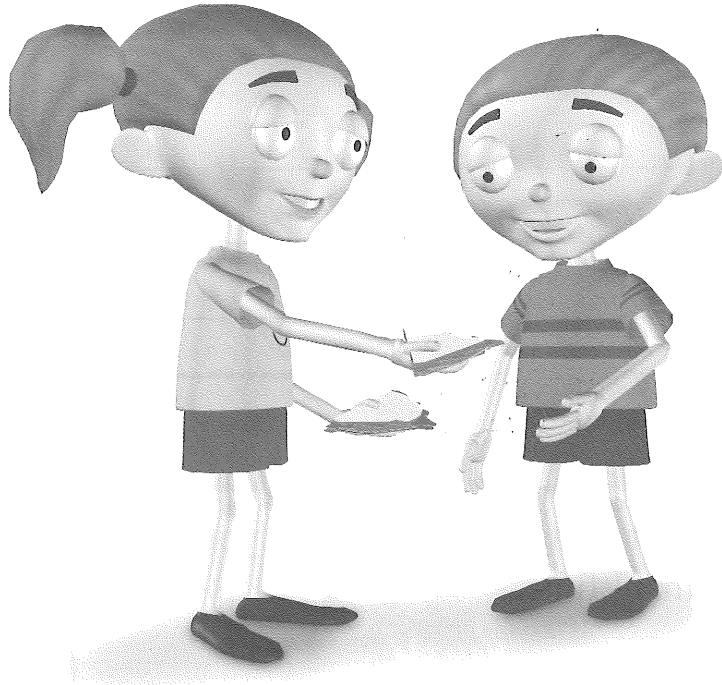
Thoughts to Ponder...

"I just wanted to make a difference, however small in the world."




— Arthur Ashe

"A sure way for one to lift himself up is by helping to lift someone else."

— Booker T. Washington



Generosity in School Means:

-  I will share with my friends.
-  I will be unselfish when playing and working.
-  I will be generous and not always expect something in return.

MONDAY

Write the word generosity in your best handwriting.

Write the definition.

TUESDAY

Draw a picture of a friend showing generosity.

WEDNESDAY

What are some ways that you can be generous to others?

THURSDAY

Describe a time in your life when someone showed you generosity without expecting anything from you in return.

FRIDAY

In what ways are your parents generous?

GOODWILL

This means to show kindness and friendliness through giving and sharing.

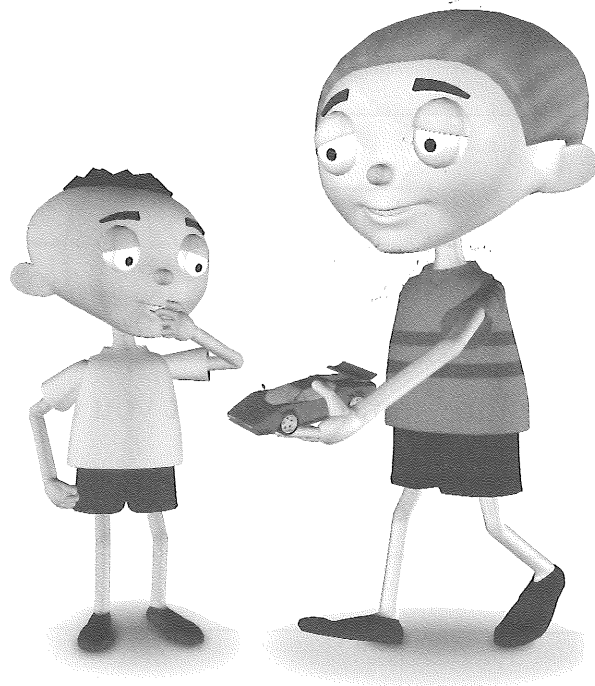
Thoughts to Ponder...

“Goodwill is earned by many acts; it can be lost by one.”

— Duncan Stuart

“Someone’s got to go out there and love people and show it.”

— Princess Diana



Goodwill in School Means:

- ☀ I will show kindness toward others.
- ☀ I will share while working and playing.
- ☀ I will demonstrate friendliness.

MONDAY

Write the word goodwill three times.

Write the definition.

TUESDAY

List some ways you could show goodwill in your community.

WEDNESDAY

How do you show goodwill toward others at school?

THURSDAY

Illustrate a cartoon or comic strip that demonstrates characters showing goodwill.

FRIDAY

List the activities that you participate in where you show goodwill.

<hr/>	<hr/>
<hr/>	<hr/>
<hr/>	<hr/>

JOYFULNESS

This means to have a feeling of happiness, contentment or satisfaction.

Thoughts to Ponder...

“Laughter softens life’s rough edges.”

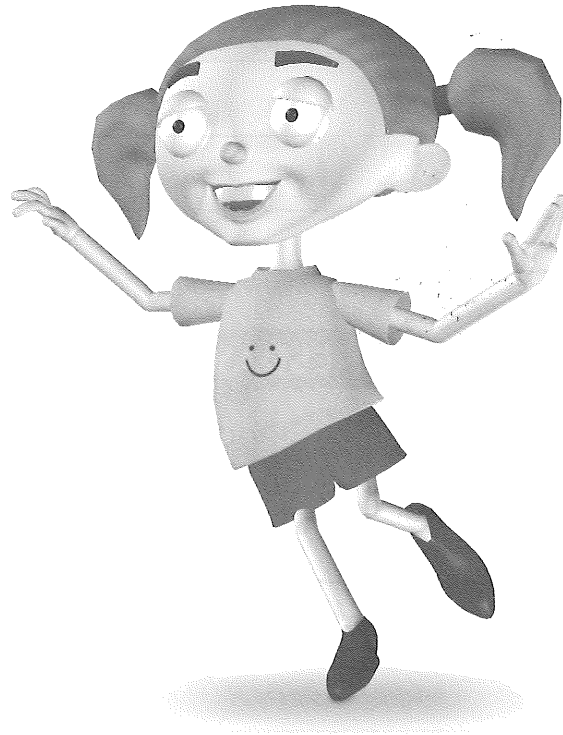
— Cherie Carter-Scott

“He who laughs, lasts.”




— Anonymous

“Humor and laughter are tremendously important in relationships. Sharing a good laugh with someone does wonders for the soul.”

— Anonymous



Joyfulness in School Means:

-  I will be excited about learning.
-  I will be happy to be with friends.
-  I will use positive words when talking with others.

MONDAY

Make a list of things that bring you joy in your life.

TUESDAY

Draw a picture of something that brought you joy in the past week.

WEDNESDAY

We enjoy being around people who are joyful. Would you rather be around a joyful person or one who is grouchy and gloomy? Why?

THURSDAY

People who are joyful like laughing. Make up a joke or write one that you know and think is funny.

FRIDAY

Discuss this quote by Cherie Carter-Scott: "*Laughter softens life's rough edges.*" Write what this means to you. _____

PATIENCE

This means to have the ability to wait and be patient.

Thoughts to Ponder...

*“Be patient. You’ll know when
it’s time for you to wake up
and move ahead.”*




— Ram Dass

*“One thing today; another
tomorrow.”*

— Spanish Proverb



Patience in School Means:

-  I will be tolerant when working and playing with others.
-  I will wait my turn.
-  I will be patient when working in groups.

MONDAY

Write the word patience two times and use it in a sentence.

TUESDAY

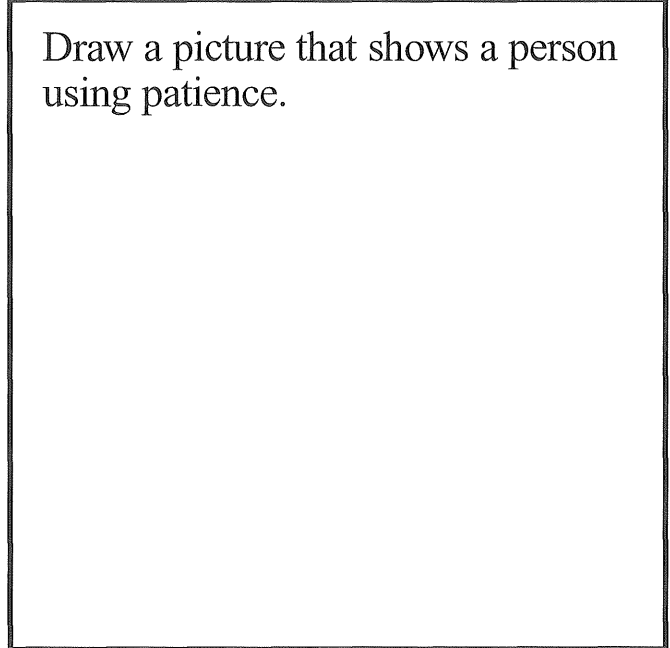
Make a list of places you have been that you have had to be patient.

WEDNESDAY

Write about a time in your life when you did not use patience. What happened because you did not use patience?

THURSDAY

Draw a picture that shows a person using patience.



FRIDAY

Make a list of times you have to be patient at school.



COOPERATION

This means working together for a common purpose; joint action.

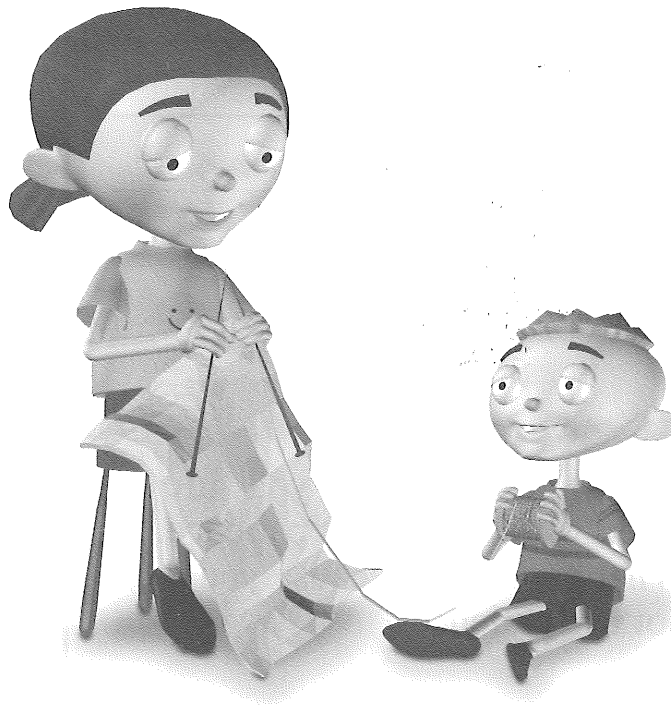
Thought to Ponder...

“Two heads are better than one.”




— Proverb

“A sure way for one to lift himself up is by helping to lift someone else.”

— Booker T. Washington



Cooperation in School Means:

-  I will use teamwork when working in groups.
-  I will listen to and respect other people's ideas.
-  I will let others do their share when working in groups.

MONDAY

List different situations during the day when you use cooperation.

TUESDAY

Draw a picture of three children demonstrating cooperation.

WEDNESDAY

Write sentences to describe how the children you drew yesterday are demonstrating cooperation.

THURSDAY

Make a list of how you use cooperation in your school day.

FRIDAY

Draw a picture of what this Proverb means to you:

“Two heads are better than one.”



TOLERANCE

This means to show acceptance of individual differences and have an attitude toward others, that is fair and free from emotional bias.

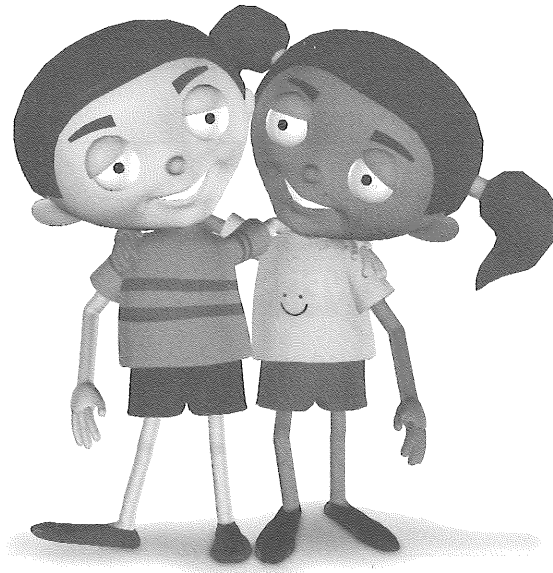
Thoughts to Ponder...

“In celebrating ethnic differences we often discover how much people are really the same. People are people. They all have feelings.”

— Tomie dePaola

“All life is interrelated. The agony of the poor impoverished the rich; the betterment of the poor enriches the rich. Whatever affects one directly affects all indirectly.”

— Dr. Martin Luther King Jr.



Tolerance in School Means:

- 🌳 I will accept peers for who they are.
- 🌳 I will not put others down because of differences.
- 🌳 I will listen to others' opinions.

MONDAY

Write the word tolerance two times in your best handwriting and write the definition.

TUESDAY

List what you could do or say to a new student to make him/her feel welcome.

WEDNESDAY

Name and describe a family tradition that you have that may be different from others in your class.

THURSDAY

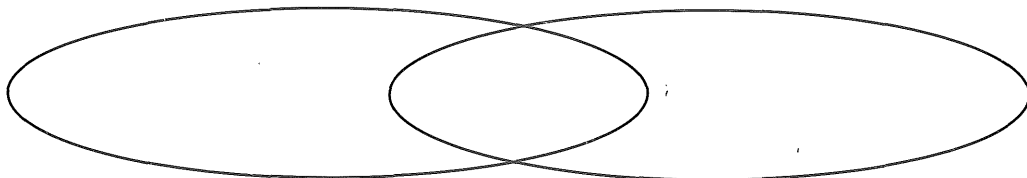
Describe a time when you saw someone being tolerant of others.

I saw _____
being tolerant.

This is what he/she did:

FRIDAY

Fill in the Venn diagram, comparing yourself and a friend.





CONSIDERATION

This means the action of thinking carefully and showing thoughtful concern for the feelings or interests of others.

Thoughts to Ponder...

“You can’t understand another person until you walk a few miles in their moccasins.”

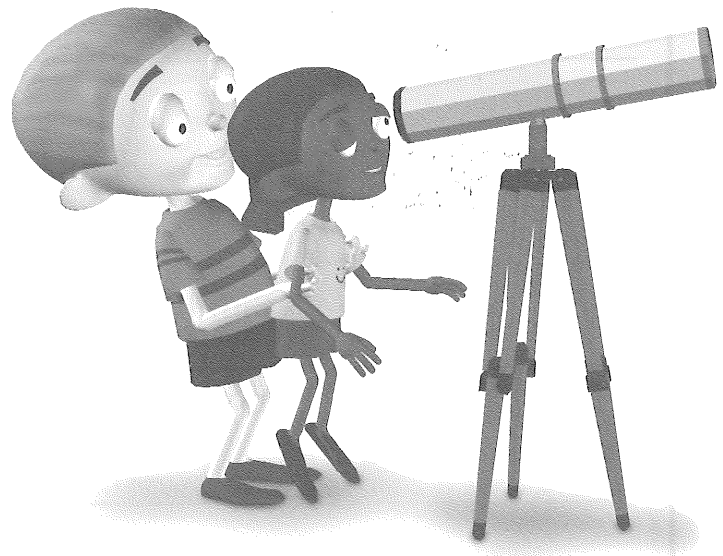
— Native American Proverb

“Supporting another means giving with no agenda.”




— Anonymous

“The way in which something is given is worth more than the gift itself.”

— French Proverb



Consideration in School Means:

-  I will think about the feelings of others before speaking negatively.
-  I will listen to the opinions of others.
-  I will take turns.

MONDAY

List two ways that you show consideration for others.

TUESDAY

Illustrate a poster of the "Most Considerate" person in your class.

WEDNESDAY

List the ways in which members of a small group would use consideration to complete a task.

THURSDAY

Make a list of words or phrases that you could use when showing consideration.

FRIDAY

My best friend shows consideration by _____.

My teacher shows consideration by _____.

My parents show consideration by _____.

UNIQUENESS

This means being the only one of its type; without an equal or like.

Thoughts to Ponder...

“Each human is uniquely different. Like snowflakes, the human pattern is never cast twice.”

— Alice Childress

“Every person is an unrepeatable miracle.”




— Anonymous

“To do good things in the world, first you must know who you are and what gives meaning to your life.”

— Paula P. Brownlee



Uniqueness in School Means:

-  I will be proud of myself.
-  I will think for myself.
-  I will respect differences in others.

MONDAY

Draw a self-portrait.

TUESDAY

My name is _____

I am unique because _____

I am _____

I am _____

But I am not _____

WEDNESDAY

What would the world be like if every person was identical to you? How would the world be different?

THURSDAY

What does the following quote mean? *“Every person is an unrepeatable miracle.”*

FRIDAY

Make a list of the characteristics that you have that you take pride in the most.



PATRIOTISM

This means to show respectful allegiance, love and loyalty to one's country.

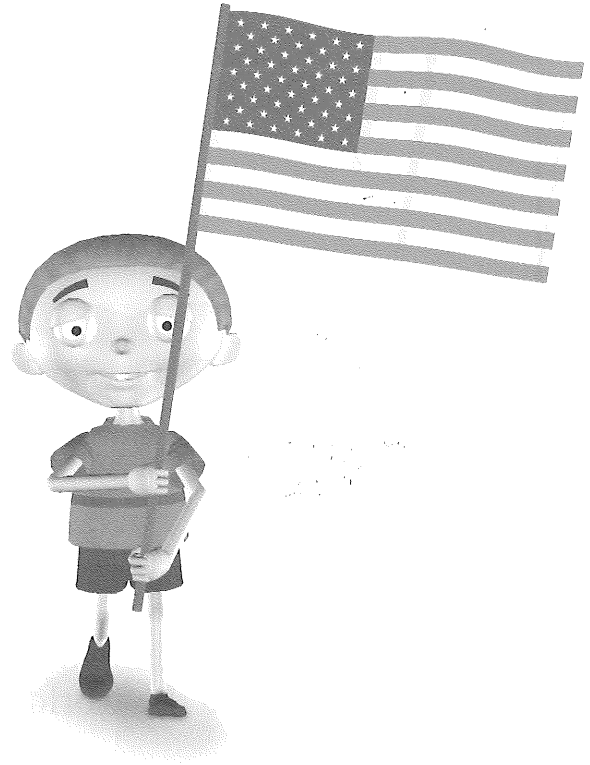
Thoughts to Ponder...

"I only regret that I have but one life to lose for my country."

— Nathan Hale

"Ask not what your country can do for you; ask what you can do for your country."

— John F. Kennedy

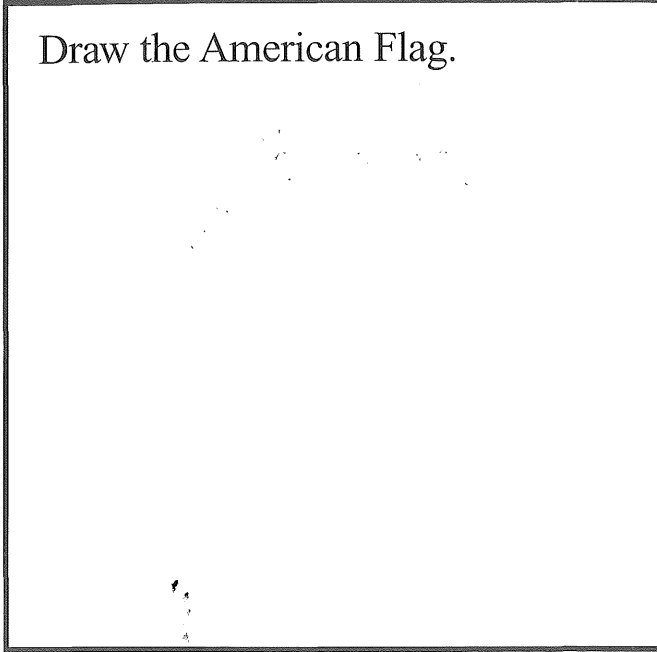


Patriotism in School Means:

- ☆ I will I will show respect for patriotic symbols.
- ☆ I will recite the Pledge of Allegiance.
- ☆ I will respect the rules of my country and school.

MONDAY

Draw the American Flag.

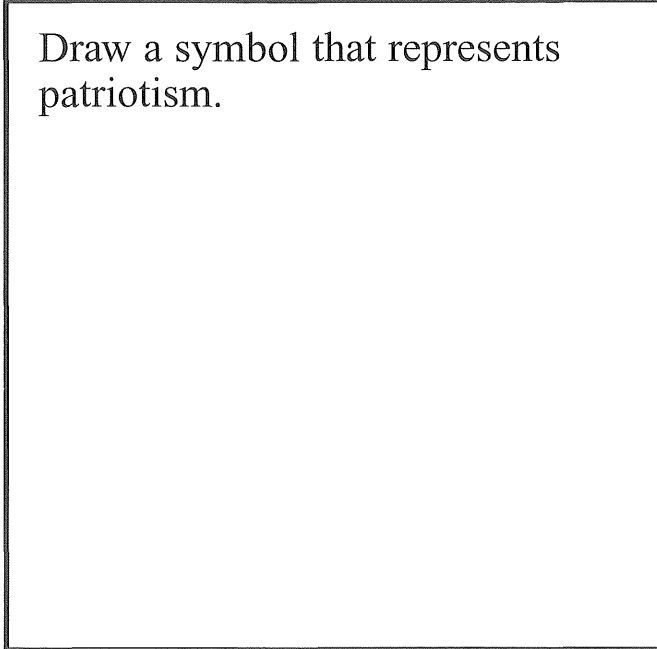


TUESDAY

How can you and your friends show love and loyalty to our country?

WEDNESDAY

Draw a symbol that represents patriotism.



THURSDAY

Do you think it is important that we have a president? Why or why not?

FRIDAY

If you become an American leader when you are older, what two situations would you change?

CITIZENSHIP

This means to be a good citizen with all its rights, duties and privileges.

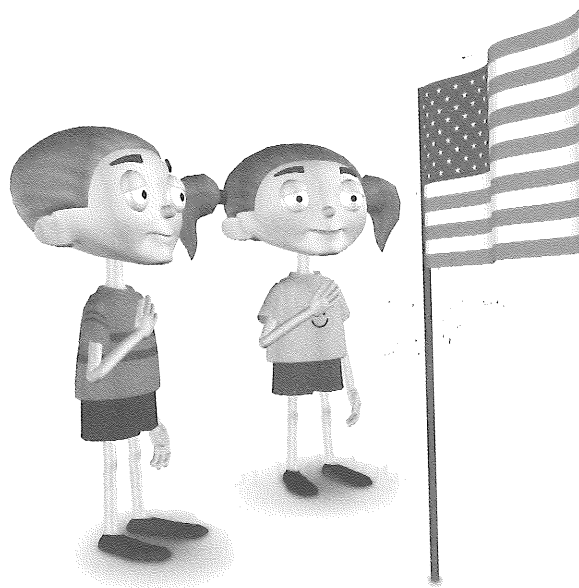
Thoughts to Ponder...

“Democracy is not something you believe in or a place you hang your hat, but it’s something you do. You participate. If you stop doing it, democracy crumbles.”

— Abbie Hoffman

“One has the right to be wrong in a democracy.”

— Claude Pepper



Citizenship in School Means:

- ★USA I will respect and follow the rules.
- ★USA I will be truthful.
- ★USA I will try to be a productive citizen.

MONDAY

Write the word citizenship two times in your best handwriting.

I demonstrate good citizenship by...

TUESDAY

Why is getting an education important to YOU?

WEDNESDAY

Draw a picture about freedom.

THURSDAY

Make a list of what you do at school to demonstrate good citizenship.

FRIDAY

Draw a picture that represents a law or rule that you follow in the community.

LOYALTY

This means to be faithful to your country, family, friends or obligations.

Thoughts to Ponder...

“When you’re loyal to someone or something, you’re faithful, constant, and dependable.”




— Anonymous

“Make new friends but keep the old, one is silver and the other is gold.”

— Girl Scout Song



Loyalty in School Means:

-  I will keep the promises I make.
-  I will be a good friend.
-  I will fulfill my obligations at school.

MONDAY

List some ways you can show loyalty in school.

TUESDAY

How do you show loyalty to your friends?

WEDNESDAY

Draw a picture of your most loyal friend.

How is he/she loyal?

THURSDAY

Write about a promise you made to someone. _____

Did you keep the promise?

How did it make you feel?

FRIDAY

List some things your parents do for you that demonstrate their loyalty.



COURAGE

This means the ability to meet danger or pain without giving in to fear.

Thoughts to Ponder...

“You gain strength, courage and confidence by every experience in which you really stop to look fear in the face.”




— Eleanor Roosevelt

“Courage is doing what you’re afraid to do. There can be no courage unless you’re scared.”

— Eddie Rickenbacker



Courage in School Means:

-  I will do what is right even if it is difficult.
-  I will try my best to meet challenges.
-  I will stand up for my beliefs.

MONDAY

Write about a time when you or someone you know showed courage.

TUESDAY

Illustrate a cartoon or comic strip that shows characters demonstrating courage.

WEDNESDAY

Circle the activities that you would need courage to do.

- Singing in front of an audience
- Speaking in front of the whole school
- Playing basketball
- Go water-skiing
- Walking through a dark forest
- Climbing a mountain
- Running two miles
- Bungee jumping

THURSDAY

- C _____
- O _____
- U _____
- R _____
- A _____
- G _____
- E _____

FRIDAY

Write a few sentences about a person from history that showed courage.

INITIATIVE

This means to take the first step in starting or doing something.

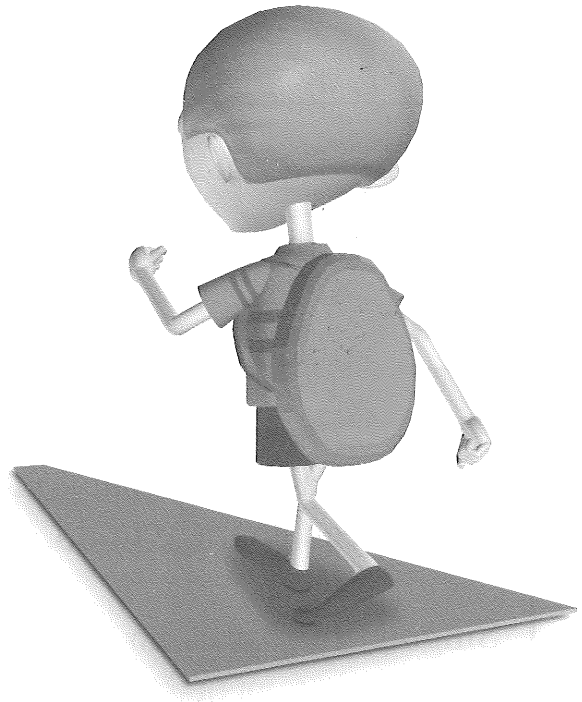
Thoughts to Ponder...

"You can't change the world. You can only change yourself."




— Beatrice Wood

"The journey of a thousand miles starts with a single step."

— Chinese Proverb



Initiative in School Means:

-  I will finish my work without being told.
-  I will take the first step to get organized.
-  I will assist others who need help.

MONDAY

Complete this sentence: I show initiative by...

TUESDAY

Draw a picture of someone showing initiative.

WEDNESDAY

Write a few sentences about how the person in your drawing is showing initiative.

THURSDAY

List some examples of what you could do to help your parents by taking initiative on your own.

FRIDAY

List three actions you could take around your neighborhood to show initiative.

1 SELF-RELIANCE

This means to rely on one's own abilities, efforts or judgments.

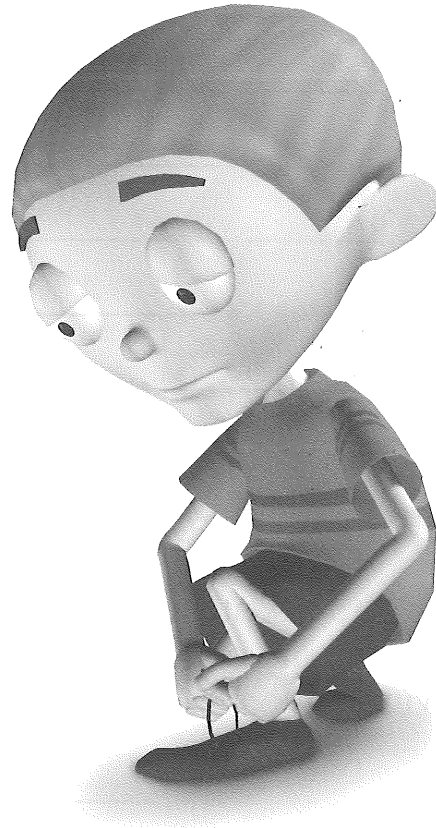
Thoughts to Ponder...

"You have to expect things of yourself before you can do them."

— Michael Jordan

"Even if you are on the right track, you'll get run over if you just sit there."

— Will Rogers



Self-Reliance in School Means:

- ① I will take care of myself.
- ① I will take care of my personal belongings.
- ① I will rely on myself to make good decisions.

MONDAY

Write the word self-reliance two times.

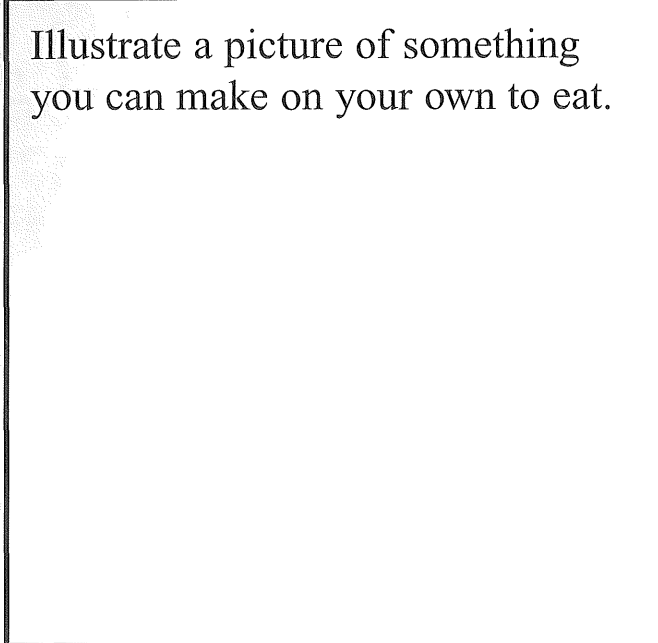
Write the definition.

TUESDAY

List some activities that you can do by yourself.

WEDNESDAY

Illustrate a picture of something you can make on your own to eat.



THURSDAY

What chores do you do around your house to show self-reliance?

FRIDAY

Write about what the following quote by Will Rogers means to you.

“Even if you are on the right track, you’ll get run over if you just sit there.”

PERSEVERANCE

This means to continue to do something in spite of difficulties.

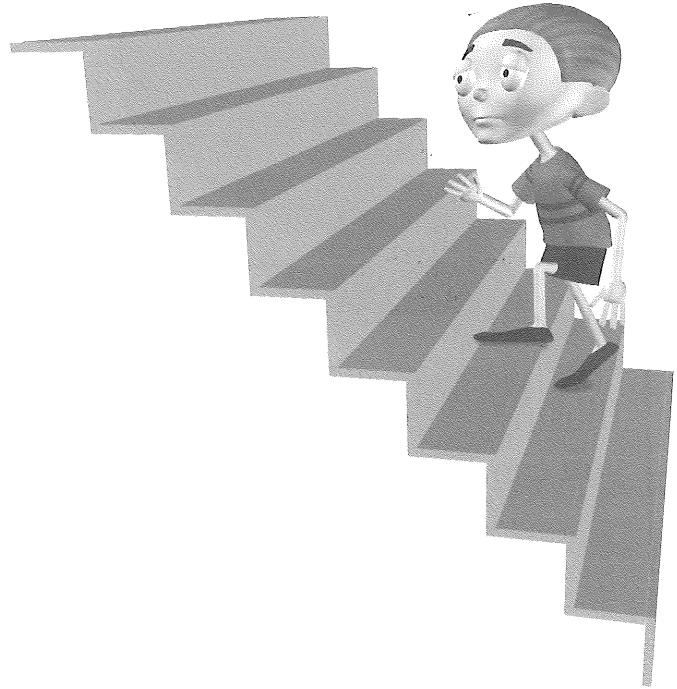
Thoughts to Ponder...

“You win one day, you lose the next day, you don’t take it personally. You get up every day and go on.”




— Hillary Rodham Clinton

“Drop by drop fills the tub.”

— French Proverb



Perseverance in School Means:

-  I will try my hardest.
-  I will not give up.
-  I will not get upset if I can’t do something the first time.

MONDAY

Write a goal for yourself that you can accomplish this week.

TUESDAY

How can perseverance help you to become a better student?

WEDNESDAY

Make a list of activities in which you have shown perseverance.

THURSDAY

Illustrate a picture of a person or group of people demonstrating perseverance.

FRIDAY

Name a person who has shown perseverance: _____

_____ has shown perseverance by _____

SPORTSMANSHIP

This means using fair play or sportsmanlike conduct.

Thoughts to Ponder...

*“You may be on top of the heap—
but remember you’re still part
of it.”*

— Frances Rodman

“A cheerful loser is a winner.”




— Elbert Hubbard

*“I can’t play being mad. I go out
there and have fun. It’s a game,
and that’s how I am going to
treat it.”*

— Ken Griffey Jr.



Sportsmanship in School Means:

-  I will work as a team player.
-  I will cheer on my peers.
-  I will use fair play in class and at recess.

MONDAY

Write the word sportsmanship two times.

TUESDAY

Complete these situations with sportsmanlike words.

Your best friend loses a card game. You say _____

You beat your sister at a computer game. You say _____

Your team loses the soccer game. You say _____

WEDNESDAY

Draw a picture of someone who is showing good sportsmanship.

THURSDAY

Elbert Hubbard said, "*A cheerful loser is a winner.*" Do you think it is true? Explain your answer.

FRIDAY

Write some words or phrases that demonstrate sportsmanship.

SELF-DISCIPLINE

This means to control one's emotions or actions.

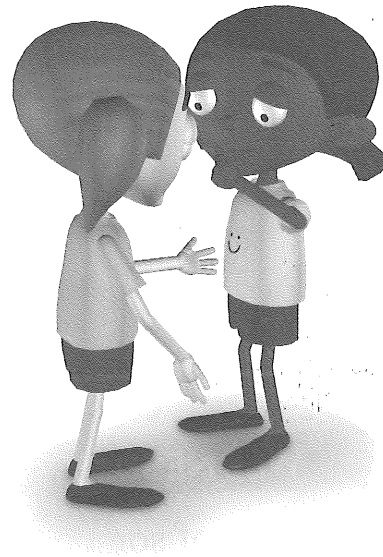
Thoughts to Ponder...

*"Let your conscience be
your guide."*

— Jiminy Cricket

*"Words fitly spoken are like
apples of gold in settings of silver."*

— Old Proverb



Self-Discipline in School Means:

- I will be in control of my actions.
- I will obey the rules.
- I will think before I act.



MONDAY

Finish this sentence:
I show self-discipline by...

TUESDAY

Write a rule that you follow at home.

Write a rule that you follow at school.

WEDNESDAY

Illustrate a picture or cartoon strip
of a character using self-discipline.

THURSDAY

Imagine you are at recess and you
don't feel like playing basketball. A
student from another class calls you a
chicken and pushes you. How will
you demonstrate self-discipline?

FRIDAY

List what you could do to control your actions instead of losing your temper.

INDEPENDENCE

This means to rely on oneself; freedom.

Thoughts to Ponder...

“A man has to live with himself, and he should see to it that he always has good company.”




— Charles Evans Hughes

“If, at the end, I have lost every other friend on earth, I shall at least have one friend left, and that friend shall be down inside of me.”

— Abraham Lincoln



Independence in School Means:

-  I will complete tasks on my own.
-  I will make my own decisions.
-  I will not follow the crowd when it's the wrong action to take.

MONDAY

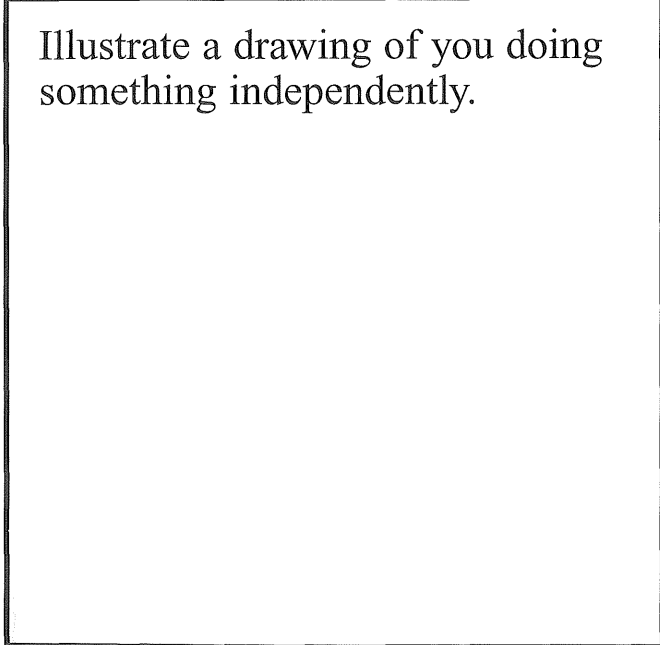
List three examples of what you can do independently at home.

TUESDAY

How can learning to be independent help you become a responsible citizen?

WEDNESDAY

Illustrate a drawing of you doing something independently.



THURSDAY

List some activities you cannot do on your own.

FRIDAY

What do we celebrate on the Fourth of July? Why?

RESOURCEFULNESS

This means to be skillful and imaginative in finding ways of dealing with life or resolving difficulties.

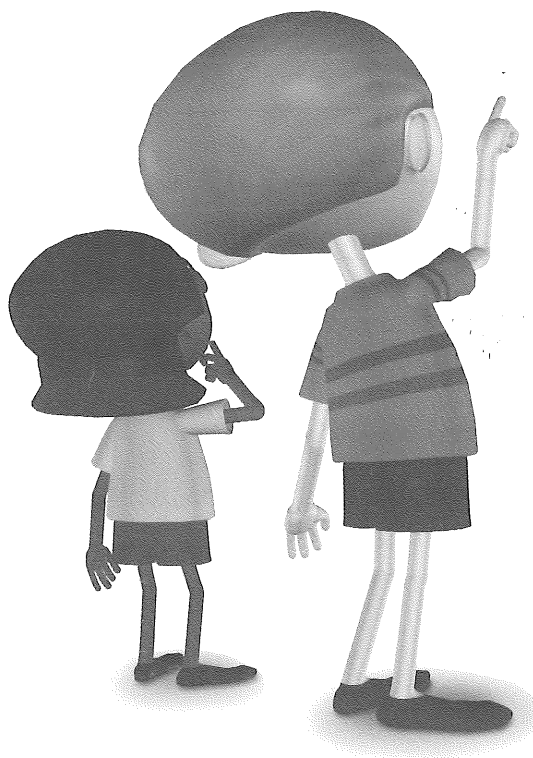
Thoughts to Ponder...

“If you learn to THINK BIG, nothing on earth will keep you from being successful.”




— Benjamin Carson

“Be Prepared.”

— Boy Scout Motto



Resourcefulness in School Means:

-  I will try different ways of completing tasks.
-  I will be creative.
-  I will try to work out my own problems.

MONDAY

Write the word resourcefulness three times in your best handwriting.

TUESDAY

List two different strategies you could use in order to learn your multiplication facts.

1. _____

2. _____

WEDNESDAY

Draw a picture of how you could recycle a soup can and a newspaper.

Soup can

Newspaper

THURSDAY

The Boy Scout Motto is "Be Prepared." Why is it important to be prepared?

FRIDAY

Illustrate a picture or cartoon strip of a character being resourceful.



CLEANLINESS

This means to be clean and free of dirt.

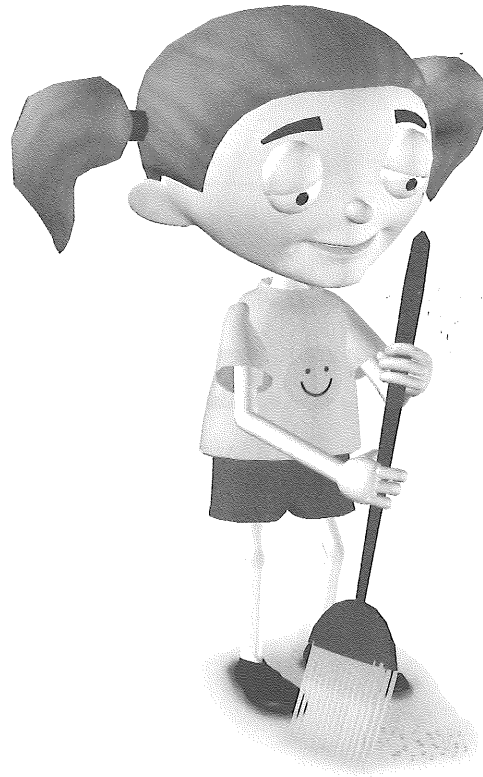
Thoughts to Ponder...

“A hog ought not be blamed for being a hóg, but a person ought.”




— Proverb

“A boy becomes a man when he walks around a puddle of water instead of through it.”

— Teacher overheard



Cleanliness in School Means:

-  I will keep my area clean and neat.
-  I will help keep our school clean by picking up trash.
-  I will wash my hands before eating and after using the bathroom.

MONDAY

List what you do to keep yourself clean.

TUESDAY

Why is it important that we keep the cafeteria in the school clean?

WEDNESDAY

Draw a picture of what our school cafeteria would look like if we did not keep it clean.

THURSDAY

In what ways do you, your peers and your teacher promote cleanliness in the classroom?

FRIDAY

In what ways can we help keep our community clean? List two ways.

★ COURTESY

This means to show politeness and consideration to others; good manners.

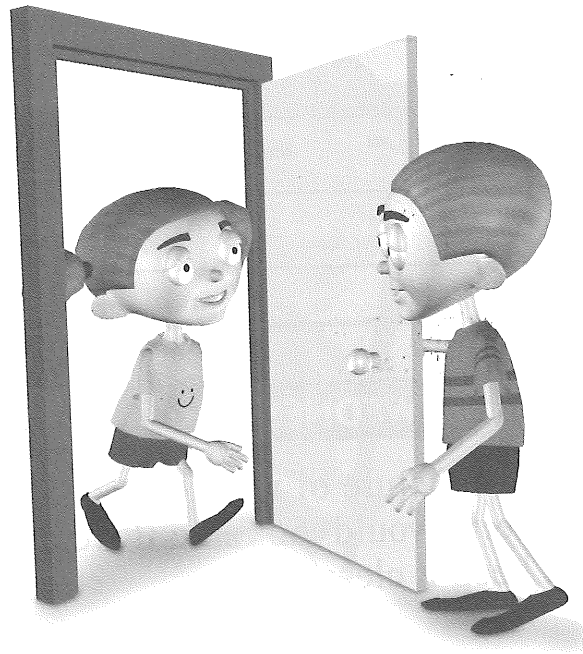
Thoughts to Ponder...

“Rudeness is the weak man’s imitation of strength.”

— Eric Hoffer

“Teach us to give and not to count the cost.”

— Saint Ignatius Loyola



Courtesy in School Means:

- ★ I will respect the feelings of others.
- ★ I will treat my friends fairly.
- ★ I will use kind words when speaking to others.

MONDAY

Write some courteous words or phrases that you know.

TUESDAY

Make a list of some courteous people you know.

WEDNESDAY

Do you like being around people who are not courteous? Why or why not?

THURSDAY

Draw a picture of people being courteous to each other.

FRIDAY

My best friend shows courtesy by _____.

My teacher shows courtesy by _____.

My _____ shows courtesy by _____.

FAIRNESS

This means to be honest and just; to follow the rules.

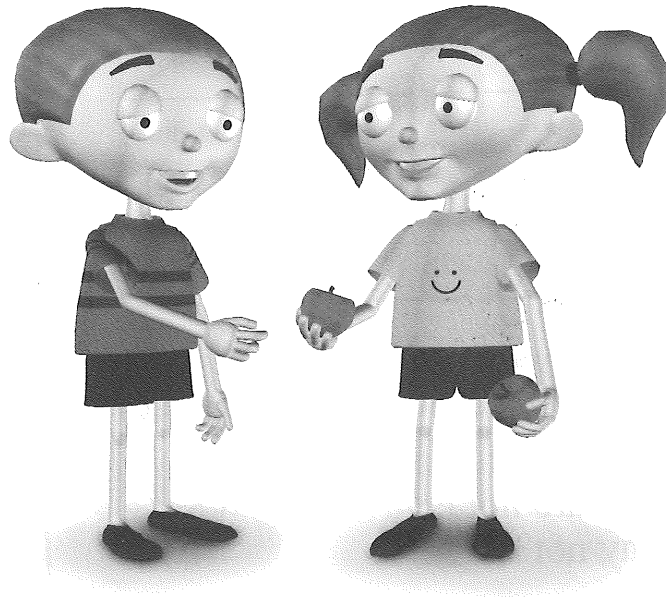
Thoughts to Ponder...

“All men are equal; it is not birth but virtue alone, that makes the difference.”




— Voltaire

“Every path has its puddle.”

— English Proverb



Fairness in School Means:

-  I will listen to all sides of the story.
-  I will be honest.
-  I will follow the classroom and school rules.

MONDAY

How can you use fairness today in school?

TUESDAY

Write an acrostic poem for the word FAIR.

F _____

A _____

I _____

R _____

WEDNESDAY

Illustrate a picture of some people demonstrating fairness.

THURSDAY

Alexa, Kalie and Ella were neighbors. Kalie and Alexa did not want Ella on their team because she was not a fast runner. They teased her. It made Ella feel bad about herself. Are Kalie and Alexa being fair? Why or why not?

FRIDAY

How does it make you feel when you are in a situation in which other children are not being fair?

CONFIDENCE

This means to have faith in oneself; self-reliance.

Thoughts to Ponder...

*"We have nothing to fear
but fear itself."*

— Franklin D. Roosevelt

*"You can only find out
by trying."*

— Greek Proverb



Confidence in School Means:

- ❗ I will try my best at all times.
- ❗ I will believe in myself.
- ❗ I will try new things.

MONDAY

Write the word confidence two times.

Write the definition.

TUESDAY

Draw a picture of yourself doing an activity in which you are confident.

WEDNESDAY

Write two sentences that describe your picture.

THURSDAY

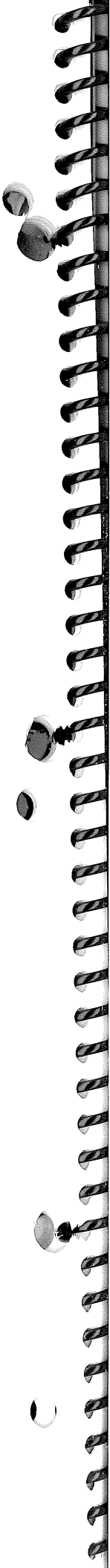
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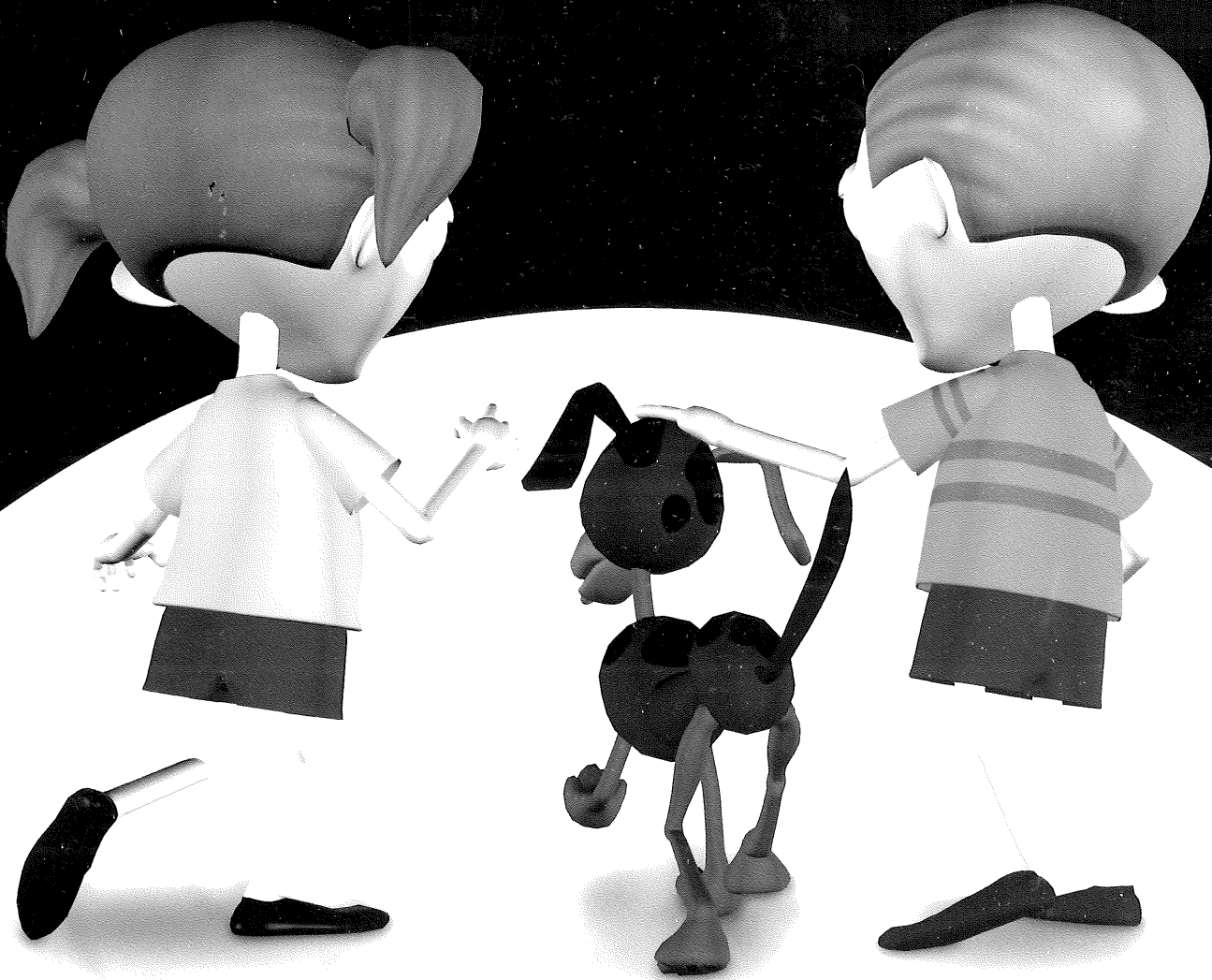
FRIDAY

Make a list of things that you are confident that you can do.

Notes



CHANGING CHARACTER CURRICULUM LIVES





ALLINA
Hospitals & Clinics

March 28, 2006

Minnesota Senate Education Committee
75 Rev. Dr. Martin Luther King Jr. Blvd
St. Paul, Minnesota 55155-1606

Re: Support Senate File 2585-Health and Physical Education Standards in Schools

Dear Education Committee Member:

I am writing on behalf of Allina Hospitals & Clinics in support of Senate File 2585.

In Minnesota, 15 to 22 percent of adolescents and 13 percent of children younger than age 5 are overweight. Overweight children become overweight adults, overweight adults are more likely to suffer from chronic disease, and chronic disease is where the majority of health care dollars are spent.

In 2001, the *Surgeon General's Call to Action to Prevent and Decrease Overweight and Obesity* identified schools as an important place to focus policy efforts. We understand that genetics and lifestyle both contribute to a child's physical make up, setting activity standards in schools is one part of the solution; it's a step in the right direction.

In addition to policy efforts, Allina is working directly with schools to reduce childhood obesity. Together with PreferredOne and the Minnesota Medical Association we are sponsoring a 30 minute play, *Power of the Pyramid*, which teaches kids they "have the power" to eat well and get fit. Research shows plays are an effective way to improve food-related knowledge and healthy eating among children. Over the next year, approximately 600 plays will be presented across the state of Minnesota which will reach an estimated 150,000 children.

Last week was Allina's second annual Day at the Capitol. Our employees, your constituents, met with many of you to share Allina's support for policy efforts to reduce childhood obesity. This is one of our top agenda items this session; I encourage you to support Senate File 2585. Please see attached document for more information.

Sincerely,

David B. Orbuch
Executive Vice President
Corporate Responsibility and Community Relations



Reduce Childhood Obesity

Support Physical and Health Education Standards in Schools

The Situation

The number of obese children in the United States is growing at an alarming rate. Since the implementation of “No Child Left Behind”, many schools have moved away from requiring health and physical education. Allina Hospitals & Clinics is concerned about this issue because it directly impacts the health of our patients and the communities we serve.

The Facts

- 16 % of children aged 6 to 19 are overweight; approximately 9 million children in the United States. A rate that is triple the percent found in a similar report completed in 1980.¹
- In Minnesota, 15-22% of all adolescents are obese and 13% of children under the age of 5 are overweight.^{2 3}
- Children who are overweight and obese are at increased risk of heart disease, hypertension, diabetes and various cancers.⁴
- Adolescents who are overweight have a 70% chance of being overweight or obese as adults.⁵
- The average annual health care costs for adults who are obese are 36% higher than for normal weight individuals.⁶
- In 2002, \$96.2 billion was attributed to medical spending for overweight and obese individuals—approximately 9.1% of total medical expenditures in the United States.⁷ Notably, Medicare and Medicaid finance approximately half of these costs.
- Among children and adolescents, annual hospital costs related to overweight and obesity have tripled in the past two decades – rising to \$127 million.⁸

The Recommendation

Allina Hospitals & Clinics supports health and physical activity standards in schools. We encourage you to support House File 3260/Senate File 2585 summarized below.

- Requires high school students to complete one-half credit in physical education and one-half credit in health education to graduate.
- Requires school districts to maintain the same physical and health education requirements for K-8 students adopted for 2005-2006 through the 2008-2009 school year.
- Requires districts revising local physical education and health education standards to consult benchmarks developed by the Minnesota Department of Education.

Why?

In 2001, the *Surgeon General's Call to Action to Prevent and Decrease Overweight and Obesity* identified schools as an important place to focus policy efforts to reduce the incidence of obese children. While genetics and lifestyle both contribute to a child's physical make up, lack of physical activity and unhealthy eating habits generally play an important role in explaining a child's weight.⁹

- Daily participation in high school physical education classes dropped from 42% in 1991 to 28% in 2003.¹⁰
- Nearly 60% of children aged 9 to 13 don't participate in any type of physical activity program outside of school.¹¹
- Research suggests that physical education programs in schools can be effective in containing obesity in children, especially among girls.¹²
- Physical activity increases self-esteem, energy levels and brain function which all contribute to improved academic performance.¹³

¹ U.S. Department of Health and Human Services. *Prevalence of Overweight Among Children and Adolescents: United States, 1999-2002 (February 2005)*. Centers for Disease Control and Prevention, National Center for Health Statistics. [Hyattsville, MD]. Retrieved from <http://www.cdc.gov/nchs/products/pubs/pubd/hestats/overwght99.htm>

² Healthy Minnesotans Public Health Improvement Goals 2004. (2004) Minnesota Department of Health. Retrieved from <http://www.health.state.mn.us/divs/chs/phg/pdf/download.html>

³ Minnesota Department of Health Fact Sheet. (August 2004) Children and Adolescents Nutritional Intake of Children and Adolescents. Retrieved from <http://www.health.state.mn.us/divs/hpcd/chp/obesity/pdf/hhildrenandAdolescentsnutritionalintake04.pdf>.

⁴ Dietz W.H. (1998). Health Consequences of obesity in youth: childhood predictors of adult disease. *Pediatrics*. 1998; 101: 518-525.

⁵ U.S. Department of Health and Human Services. *The Surgeon General's call to action to prevent and decrease overweight and obesity*. (2001). U.S. Department of Health and Human Services, Public Health Service, Office of the Surgeon General; [Rockville, MD]:Retrieved from <http://www.surgeongeneral.gov/library>

⁶ Thompson, David, Brown Jonathan B., Nicols, Gregory A., Elmer, Patricia J., Oster, Gerry. (March 2001). Body Mass Index and Future Healthcare Costs: A Retrospective Cohort Study. *Obesity Research*. Vol. 9 No. 3.

⁷ Finkelstein, Eric A., Fiebelkorn, Ian C., Wang, Guijang. (May 2003) National Medical Spending Attributable to Overweight and Obesity: How Much, and Who's Paying? *Health Affairs*. Web Exclusive.

⁸ CDC Study Finds Medical Costs Among Obese Young People Increase Significantly (May 1, 2002) Press Release. Retrieve from <http://www.cdc.gov/od/oc/media/pressrel/r020501.htm>

⁹ U.S. Department of Health and Human Services. *The Surgeon General's call to action to prevent and decrease overweight and obesity*. (2001) Retrieved from <http://www.surgeongeneral.gov/topics/obesity/calltoaction/CalltoAction.pdf>.

¹⁰ Centers for Disease Control, National Center for Chronic Disease Prevention and Health Promotion. (2005) Physical Activity and Good Nutrition: Essential Elements to Prevent Chronic Diseases and Obesity At A Glance. Retrieved from <http://www.cdc.gov/nccdphp/publications/aag/dnpa.htm>.

¹¹ U.S. Department of Health and Human Services. (May 21, 2004) *Morbidity & Mortality Weekly Report* Vol. 53(SS-2).

¹² Datar, Ashlesha, Ph.D., Sturm, Roland PhD. (September 2004) Physical Education in Elementary School and Body Mass Index: Evidence from the Early Childhood Longitudinal Study. *American Journal of Public Health*. Vol. 94, No. 9.

¹³ Scheuer, Lesslee J., Mitchell, Debby Ed.D. (May 2003) Does Physical Activity Influence Academic Performance.



National Conference of State Legislatures

OFFICIAL POLICY

POLICY: THE FEDERAL ROLE IN ELEMENTARY AND SECONDARY EDUCATION

COMMITTEE: EDUCATION

The nation's legislators have long acknowledged the need to improve every aspect of elementary and secondary education so that America's young people will have an opportunity to compete for jobs in an increasingly complex world.

Legally and traditionally, elementary and secondary education policy has been defined broadly by state constitutions, specified by state statutes and implemented by school boards and local school districts. For more than thirty-five years, federal involvement in education was modest in resources and limited in scope, targeting under-served populations with the expectation of raising student achievement for economically disadvantaged students to the level of their advantaged peers. Federal money, making up 8% or less of the K-12 budgets nationwide, had a disproportionate impact on state policy because of its targeting on state education administration: an average of 40 percent of state administrators work for the state but are paid for by the federal government. These agencies and employees make decisions that have significant long-term policy and fiscal implications for the state, yet federal law empowers them to do so outside the confines of state law. Employees accountable to both state and federal authorities are accountable to neither. Federal funding further aggravates state governance issues and oversight concerns by identifying state education agencies as the recipient of all federal education dollars. It remains the position of the NCSL that all federal funds should go to the state legislature for

open and deliberative hearings, and not directly from the federal government to state or sub-state bureaucracies or agencies. Despite the enactment of NCLB, K-12 education remains overwhelmingly a state and local financial responsibility and function. The federal government provides less than \$40 billion of the \$500 billion currently expended on K-12 education. Each additional \$1 billion in federal appropriations increases aggregate K-12 expenditure by 0.2%. The enactment of NCLB in 2002 increased federal resources modestly but greatly enhanced the role, reach, and expectations of the federal government beyond the state agencies and disadvantaged students by setting a timetable that would require all students to achieve at grade level. States were left with the responsibility for figuring out how to reach this lofty and admirable goal with the 2% net increases in K-12 funding made available through increases in federal appropriations.

In February 2005, after 8 months, 60 witnesses and over 100 hours of testimony, the bi-partisan NCSL Task Force on NCLB released its recommendations for improvements to NCLB. The report, approved unanimously by the NCSL Exec Committee, identifies fundamental questions about the constitutional and statutory underpinnings of the law, and examines the cost of implementing its provisions. The report makes 43 very specific recommendations for improving NCLB, ranging from the need for a revitalized state-federal partnership to specific recommendations for making the state plan amendment and approval process more transparent, to changing the sequence of consequences for under-performing schools. The majority of these improvements to NCLB emphasize results over process, flexibility over bureaucracy and common sense solutions to many of the unintended negative consequences of the federal reform effort.

The nation's legislators commend the Congress for its efforts to identify the unmet needs of children in our education systems and to improve federal education policy. However, we ask the federal government to respect the progress, improvements and innovations made in our state systems and to provide the flexibility to implement reforms according to specific conditions in our states. NCLB, by violating basic principles of federalism, significantly shifts control of K-12 education to federal bureaucrats and away from state and local government decision-makers. The federal government should follow the concept of incentive-based programs as opposed to

the punitive system at the heart of NCLB. We insist that federal efforts acknowledge state constitutions and state elected officials as well as the basic principles of federalism. We call upon the Congress to re-open and amend "No Child Left Behind" by incorporating the recommendations of the NCSL Task Force on NCLB. Those states wishing to continue on their state's path to standards-based reforms and not participate in NCLB should not be penalized by reduction of any appropriations except those directly attributed to increased future federal appropriations for NCLB K-12 education purposes.

State legislators take their authority and accountability for public education seriously and expect the federal government to honor its commitment to a federal system by amending NCLB.

July 2008

NSBA Calls President's Budget A Mockery

For Immediate Release
February 7, 2006
Communications Office
Contact: Linda Embrey
703-838-6737; press@nsba.org

Joint Statement on the President's FY2007 Proposed Budget

**by
Joan E. Schmidt, President and
Anne L. Bryant, Executive Director
National School Boards Association**

On behalf of the nation's 95,000 local school board members, we are disappointed at the President's budget request, which makes a mockery of the words "No Child Left Behind."

The President's proposal for Title I, the principal source of federal funding to implement NCLB at the local level, would be funded at the same level for the third budget cycle. If the President's proposal is adopted, the program will have been increased by about 8 percent over four budget cycles—hardly a priority. This comes at a time when Title I enrollments, comprising the most educationally disadvantaged students, are rising along with the cost of providing services to these students, including expensive sanctions mandated by the federal law on schools that don't meet the federal requirement of Adequate Yearly Progress.

Claims by the Administration that the Title I program has grown more than 40 percent since 2001 draws on early funding commitments made several budget cycles ago. Forty percent was reached by the addition of: an increase of 18.1% in 2002; 13% in 2003 with a 5.5% increase followed by a 3 percent increase and an actual cut of .2 percent in 2006. Now, the President's 2007 budget level funds this program. The initial year's funding at 18.1% became the basis for key members of Congress to support passage of the law. Viewed over recent budget cycles, it is clear that these members of Congress, local educators, and most tragically, our students, have been "sucker punched" by those early increases on which this limp budget proposal must depend in order to justify a commitment to education and NCLB.

Likewise, the President's budget proposal would level fund the Individuals with Disabilities Education Act this year and, therefore over a period of three budget cycles. Under the President's proposal, this year's combined shortfall for Title I and IDEA will well exceed \$25 billion—despite the funding commitment made when Congress and the President enacted NCLB in 2002 and reauthorized IDEA in 2004.

While the goals of both of these mandated programs are laudable, the failure to fully fund them basically amounts to a \$25 billion education tax on local communities that must be paid by increasing local property taxes or by drawing funds away from other vital components of the school program.

Meanwhile, the President's proposal for his high school initiative and to advance math

and science education are worthy goals, but are fraught with difficulties. These initiatives would involve NCLB testing and accountability for more grades and subject areas—without first fixing the flaws in NCLB or funding the existing mandates. Further, the limited funding that is provided also comes at the expense of killing or diminishing a wide range of vital programs such as vocational education, education technology, and the Safe and Drug Free Schools program. Does the President really believe the mission has been accomplished fully and permanently in these areas?

While the President's budget grinds down critical support to public education, it simultaneously proposes a new \$100 million voucher program. This proposal flies in the face of the Administration's own standard that its education policies will be based on scientific evidence of success and that there be accountability for performance.

Founded in 1940, the National School Boards Association is a not-for profit federation of state associations of school boards representing 95,000 local school board members throughout the United States. Its mission is to foster excellence and equity in public elementary and secondary education through local school board leadership. NSBA represents the school board perspective in working with federal government agencies and national organizations that impact education, and provides vital information and services to state associations of school boards throughout the nation.



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NO CHILD LEFT BEHIND

2006 STATE LEGISLATIVE ACTIVITY

Arizona

Senate Bill 1326: Allows any school district, charter, or other public school that does not accept federal money for the implementation of NCLB to opt out of the mandates by notifying the superintendent in writing.

<http://www.azleg.state.az.us/FormatDocument.asp?inDoc=/legtext/47leg/2r/bills/sb1326p.htm>

California

Assembly Bill 2975: Would change the definition of "proficiency" for AYP to align with the state definition after the state found that 2/3 of students are deemed not proficient by NCLB. The bill also says that NCLB creates conflicts for pupils, teachers and administrators in understanding the expectations of the state and conflicts with the state accountability system.

http://www.leginfo.ca.gov/pub/bill/asm/ab_2951-3000/ab_2975_bill_20060224_introduced.html

Colorado

House Joint Resolution 1004: Urges the state department of education to apply to the US Department of Education for the student growth pilot project announced by Secretary Spellings on November 18, 2005.

http://www.leg.state.co.us/clics2006a/csl.nsf/fsbillcont3/A71913950974DFCE872570C800560462?Open&file=HJR1004_enr.pdf

House Bill 1289: Requests the state Department of Education to pursue a waiver from the US Department of Education to allow students to be excluded from AYP calculations if the parent chooses to withhold them from state tests. The bill alludes to the fact that parents, especially of special education students, are extremely frustrated by their child having to take standardized tests and the only option that doesn't harm the school or district is to remove them completely from the public school system.

http://www.leg.state.co.us/clics2006a/csl.nsf/fsbillcont3/3CEA5FCD2D62E422872570BA0083C485?Open&file=1289_ren.pdf

Florida

House Memorial 893: Emphasizes the state accountability systems, declares NCLB as the most sweeping federal intrusion into state and local control, recognizes the contradiction between the state and federal systems and notes the lack of funding. Urges Congress to hold states harmless and give priority to their own systems, meet the funding authorization levels of NCLB, expand measurement system and professional development opportunities, authorize appropriate assessments for LEP and SPED, allow flexibility in determining AYP, including students from multiple subgroups and recognize that education is a state and local responsibility.

http://www.myfloridahouse.gov/Sections/Documents/loaddoc.aspx?FileName=_h0893_.doc&DocumentType=Bill&BillNumber=0893&Session=2006

Senate Bill 7087: Requires the Legislative Budget Commission to review the state plan to implement NCLB.

Hawaii

House Concurrent Resolution 46: Urges the President and Congress to substantially increase funding for NCLB, HEA, and IDEA and provide waivers, exemptions, or other flexibility for any year federal funding is reduced.

http://www.capitol.hawaii.gov/sessioncurrent/bills/HCR46_.pdf

Senate Concurrent Resolution 105: Urges Congress to support the recommendations of the NCSL Task Force on NCLB by removing obstacles blocking innovations and undermining pre-existing programs, providing the necessary financial assistance, removing the one-size-fits-all measurements, and recognizing the significant challenges and differences of rural and urban schools.

http://www.capitol.hawaii.gov/sessioncurrent/bills/scr105_.htm

Idaho

House Joint Memorial 13: Urges Congress to correct the difficulties of calculating AYP, target interventions on the students who actually need assistance, provide states waivers, improve accountability for students with disabilities and limited English proficiency, allow the use of student growth, and include triggers so that the most costly sanctions would not be imposed for any year where there is inadequate funding.

<http://www3.state.id.us/oasis/HJM013.html>

House Joint Resolution 18: Points out the problems with the requirements NCLB places on testing and holding students of limited English proficiency accountable. Urges Congress to allow states to exclude LEP students from AYP calculations and from the assessments if they have not been in the U.S. for three full school years, if parents and educators agree that such an exclusion is educationally appropriate for the student.

<http://www3.state.id.us/oasis/HJM018.html>

Illinois

House Bill 4864: Changes the school code in how the state identified schools for improvement by requiring that the same SUBGROUP and the same subject miss the AYP, participation, graduation, or attendance requirement before being identified.

<http://www.ilga.gov/legislation/billstatus.asp?DocNum=4864&GAID=8&GA=94&DocTypeID=HB&LegID=23703&SessionID=50>

Senate Joint Resolution 66: Urges Congress to change NCLB so that improving schools are not sanctioned, performance is differentiated based on how many AYP indicators are met, schools can choose order of choice and supplemental services, provide adequate funding, allow student growth models, revisit the 100% proficiency expectation, and provide flexibility around the highly qualified teacher requirement.

<http://www.ilga.gov/legislation/BillStatus.asp?DocNum=66&GAID=8&DocTypeID=SJR&LegId=23841&SessionID=50&GA=94>

Senate Joint Resolution 64/60: Urges the state department of education to apply to the US Department of Education for the student growth pilot project announced by Secretary Spellings on November 18, 2005. Also urges the US Department of Education to use more flexibility in determining AYP.

<http://www.ilga.gov/legislation/BillStatus.asp?DocNum=64&GAID=8&DocTypeID=SJR&LegId=23830&SessionID=50&GA=94>

Kansas

Senate Concurrent Resolution 1618: Urges Congress to make a serious commitment to education by substantially increasing funding and to provide states waivers from NCLB when funding is not adequate.

http://www.kslegislature.org/bills/2006/2006_1618.pdf

House Bill 2682: Directs the Board of Education to prioritize resources providing first priority to meeting state standards and goals and second priority to implementing federal standards and goals. The Board is also directed to maximize local control and flexibility, minimize additional state resources diverted to implementing federal programs, seek waivers from federal statutes, and determine if NCLB is requiring the state to spend state and local resources or causing a change in the curriculum.

<http://www.kslegislature.org/legsrv-bills/searchBillNumber.do;jsessionid=BD6CE75BD7DFEDF9E7EA7E5812A395EB>

Kentucky

House Concurrent Resolution 165: Requests Congress to give Kentucky waivers from the NCLB requirements in years when funding is decreased.

<http://www.lrc.ky.gov/record/06RS/HC165.htm>

Louisiana

House Concurrent Resolution 30: Memorializes Congress to amend NCLB so that paraprofessionals working in Title I schools prior to NCLB are deemed highly qualified. It is stated that NCLB's requirements may create a financial burden and other challenges upon paraprofessionals, especially those in rural areas, which has resulted in them leaving schools for other employment. (Passed)

<http://www.legis.state.la.us/billdata/streamdocument.asp?did=334339>

New Hampshire

Senate Concurrent Resolution 7: Urges Congress to amend NCLB pursuant to the recommendations made in the NCSL Task Force report.

<http://www.gencourt.state.nh.us/legislation/2006/SCR0007.html>

House Bill 1288: Would require the Office of the Legislative Budget Assistant to conduct an audit of money received from the federal government for the Department of Education since 1999, separating out NCLB funding. The audit shall also include an analysis of actual costs incurred by the state and school districts in implementing NCLB requirements. The audit must be completed and reported to both house and senate education and finance committees by December 1, 2006.

<http://www.gencourt.state.nh.us/legislation/2006/HB1288.html>

House Bill 646: Provides that teachers and paraprofessionals deemed highly qualified are deemed such in all New Hampshire districts. Provides that no teacher or paraprofessional shall be dismissed or nonrenewed solely for failure to meet the highly qualified criteria of NCLB so long as the teacher or paraprofessional possesses a valid license or certification, and creates a highly qualified teacher oversight commission. (carry over bill from 2005)

<http://www.gencourt.state.nh.us/legislation/2006/HB0646.html>

New Jersey

Assembly Bill 1699: Directs public school officials to prioritize resources, especially to resolve conflicts between NCLB and state education policies, giving first priority to state programs. Also, minimizes state resources spent on NCLB, maximizes flexibility, determines if NCLB is violating Section 9527, and seeks waivers under Section 9401, especially if violating section 9527.

http://www.njleg.state.nj.us/2006/Bills/A2000/1699_I1.HTM

Assembly Bill 2079: Provides that the statewide assessments will be in conformance with NCLB only if the costs are paid exclusively from federal funds. The bill also directs the commissioner to determine the estimated costs for complying with the assessment requirements and the amount of federal funds appropriated. The report is due to the Governor, Senate Budget Committee, Assembly Appropriations Committee and both education committees by January 1, 2007.

http://www.njleg.state.nj.us/2006/Bills/A2500/2079_I1.HTM

Assembly Concurrent Resolution 104: Urges Congress and the President to enact legislation making changes to NCLB pursuant to the National Conference of State Legislatures Task Force on NCLB report.

http://www.njleg.state.nj.us/2006/Bills/ACR/104_I1.HTM

New Mexico

House Joint Memorial 4: Requests the state Public Education Department to change its definition of "rural" to ensure such districts and schools get maximum federal funding under NCLB. The definition should be based on capacity to serve students rather than enrollment numbers in order to capture large geographic areas that include the required number of students. The Department is requested to ensure that this definition will be approved by the US Department of Education.

<http://legis.state.nm.us/lcs/session.asp?chamber=H&type=JM&number=4&year=06>

Ohio

House Bill 411: Revises the state accountability system to remove adequate yearly progress as a determining factor for school performance by eliminating the requirement that a district or school that fails to make AYP for more than two consecutive years be rated no higher than "in need of continuous improvement" on the annual state academic performance ratings. It allows schools and districts to be rated in good standing if they make a certain percentage of the indicators. The state will continue to use AYP for federal purposes only.

http://www.legislature.state.oh.us/bills.cfm?ID=126_HB_411

Rhode Island

Senate Bill 2090: Recommends and authorizes the attorney general to participate, intervene in and otherwise join with the attorney general in Connecticut in the lawsuit against the US Department of Education over NCLB.

<http://www.rilin.state.ri.us/Billtext/BillText06/SenateText06/S2090.pdf>

South Dakota

Senate Concurrent Resolution 1: Urges Congress to amend NCLB pursuant to the recommendations made in the NCSL Task Force report.

<http://legis.state.sd.us/sessions/2006/bills/SCR1enr.htm> (Enrolled)

Utah

House Joint Resolution 11: Urges Congress to repeal NCLB and revert to the previous version of the Elementary and Secondary Education Act.

<http://www.le.state.ut.us/~2006/htmldoc/hbillhtm/HJR011.htm>

Virginia

House Bill 1427: Requires the state Board of Education to develop a plan to eliminate initiatives or conditions that are currently being funded by the federal NCLB, unless such activities are an integral or necessary component of the Commonwealth's own Standards of Quality.

<http://leg1.state.va.us/cgi-bin/legp504.exe?061+ful+HB1427>

House Bill 1428: Requests the state Board to request waivers and/or changes in the state plan including flexibility around offering choice and supplemental services, flexibility around including LEP and SPED students in AYP calculations and allows the state to bank test scores (e.g. allow multiple attempts). The board is required to report to the legislature on the status of these requests.

<HTTP://LEG1.STATE.VA.US/CGI-BIN/LEGP504.EXE?061+FUL+HB1428S1>

Senate Bill 410: Requires the state Board of Education to develop a plan to eliminate initiatives or conditions that are currently being funded by the federal NCLB, unless such activities are an integral or necessary component of the Commonwealth's own Standards of Quality.

<http://leg1.state.va.us/cgi-bin/legp504.exe?061+ful+SB410>

Senate Bill 411: Withdraws the Commonwealth from participation in NCLB and requires the Board of Education and Attorney General to bring suit against the US Department of Education if, as a result of the Commonwealth's withdrawal from the voluntary NCLB, Title I funds that are not directly related to NCLB and that help children from low-income families meet challenging academic content and achievement standards are withheld.

<http://leg1.state.va.us/cgi-bin/legp504.exe?061+ful+SB411>

Washington

Senate Joint Memorial 8038: Points out problems with implementing NCLB including the requirements around LEP students, the costs of testing, and the advantage of using a student growth system. Asks Congress and the President to work with state legislatures to raise authorized funding levels and to improve its implementation.

<http://apps.leg.wa.gov/billinfo/summary.aspx?bill=8038&year=2006>

House Bill 2429: A comprehensive analysis of Washington's assessment system following the implementation of NCLB has not been conducted. There has also not been adequate attention paid to how the system affects the authority and control of locally elected school directors. Therefore, the legislature intends to commission a comprehensive review of Washington's academic system and ensure additional flexibility within that system, including the costs to the state.

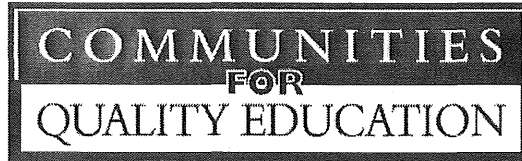
<http://apps.leg.wa.gov/billinfo/summary.aspx?bill=2429&year=2006>

West Virginia

Senate Concurrent Resolution 74: In response to the \$793 million cut to NCLB, the Congress and President are requested to substantially increase funding for NCLB, IDEA, and HEA.

http://www.legis.state.wv.us/Bill_Text_HTML/2006_SESSIONS/rs/bills/scr74%20org.htm

Senate Concurrent Resolution 75/HCR 75: Requests the Joint Committee on Government and Finance to student the costs of NCLB, whether the state has received the maximum amount of flexibility, and what changes the state should pursue during the reauthorization of NCLB.
http://www.legis.state.wv.us/Bill_Text_HTML/2006_SESSIONS/rs/bills/scr75%20org.htm



2005 LEGISLATIVE ACTIVITY

Arizona

SB 1304: A school district or charter school may notify the superintendent of public instruction in writing any time that the school district or charter school will not be participating in or be subject to the NCLB Act of 2001. SPONSORS: Sen. Karen Johnson et. al. (R)

http://www.azleg.state.az.us/DocumentsForBill.asp?Bill_Number=sb1304

Status: Assigned to Rules Committee 1/27/05

Arkansas

HB 2903: Establishes procedures for implementing the highly qualified teacher provision in the No Child Left Behind Act.

<http://www.arkleg.state.ar.us/ftproot/bills/2005/public/HB2903.pdf>

Status: Referred to the Committee on Education 5/7/05

California

Senate Joint Resolution 8: Requests Congress to restore funding to the Enhancing Education Through Technology Act, which is part of NCLB. The resolution states that the money for technology is critical to closing the achievement gaps as well as meeting the goals of IDEA and Perkins vocational education.

http://www.leginfo.ca.gov/pub/bill/sen/sb_0001-0050/sjr_8_bill_20050824_chaptered.html

Senate Bill 385: Would require limited English proficient students to take assessments in native language and require the state department to develop necessary assessments. After three consecutive years in the U.S. the students would have to take an additional test in English.

http://www.leginfo.ca.gov/pub/bill/sen/sb_0351-0400/sb_385_bill_20050912_enrolled.html

Colorado

SB 50: Allows districts to not comply with NCLB by forgoing Title I funds and to seek public approval for mill levy to replace lost federal funds. (Introduced 1/12/05 and assigned to education committee). SPONSOR: Sen. Mark Hillman (R)

http://www.leg.state.co.us/CLICS2005A/csl.nsf/fsbillcont3/081AB298840E623D87256F500058FF4D?Open&file=050_01.pdf

Status: Passed Legislature, sent to Governor for signature 5/02/05

Connecticut

HJR 30 and SJR 35: Calls on Congress to allow waivers for states with high performing schools. (Introduced 1/24/05 and referred to joint education committee). SPONSORS: Rep. John Mazurek (D) and Sen. John Kissel (R).

HJR30-

http://www.cga.ct.gov/asp/cgabillstatus/cgabillstatus.asp?selBillType=Bill&bill_num=HJ00030&which_year=2005

SJR35-

http://www.cga.ct.gov/asp/cgabillstatus/cgabillstatus.asp?selBillType=Bill&bill_num=SJ00035&which_year=2005

SJR40: Calls upon the President and Congress of the United States to amend the No Child Left Behind Act, to provide for a mechanism that will require the granting of waivers from said act to Connecticut and other states that (1) have implemented effective, high standards and accountability measures, (2) consistently achieve within the top tenth percentile of all states for student performance and participation in national assessments, including the National Assessment of Educational Progress and the Scholastic Achievement Test, (3) annually profile school districts and schools for accountability and student achievement pursuant to demographic indices including subcategories of student performance, including a subcategory based on a high percentage of students eligible for free or reduced price lunches, and (4) direct additional resources for school readiness and reading programs and school construction projects to school districts with a high concentration of students performing below the level of proficiency

<http://www.cga.ct.gov/2005/fc/2005SJ-00040-R000022-FC.htm>

Florida

HM 877: States NCLB disregards time-honored principle of balanced federalism, deems well-performing schools as deficient, and is a tremendous unfunded mandate. Resolves Congress that the state be held harmless for meet the requirements under the state system, fund the law to authorization levels, use an alternative method for determining AYP, use appropriate methods to test LEP and SWD students, and allow flexibility for students of multiple subgroups. SPONSOR: Rep. Curtis Richardson (D)

http://www.myfloridahouse.gov/bills_detail.aspx?Id=16560&iSessionSelectedIndex=0&sBillSubjectText=&sBillNumberText=&iSponsorSelectedIndex=0&iBillListSelectedIndex=0&sStatueAmendedText=&iBillTypeSelectedIndex=5&iReferredToSelectedIndex=0&iChamberSelectedIndex=2&iBillSearchListPageIndex=-1

Status: Died in Choice and Innovation Committee 05/6/05

Idaho

SJM 101: Demands that states without a city of one million or more in population be exempt from NCLB. (Introduced 1/21/05). SPONSORS: Sens. Schroeder and Pearce.

<http://www3.state.id.us/oasis/SJM101.html>

Status: Referred to Education Council 01/25/05

SJM 106: Addresses changes Idaho would like to make to the No Child Left Behind Law.

<http://www3.state.id.us/oasis/SJM106.html#billtext>

Status: Passed Senate, introduced to House 03/04/05

Iowa

HR 11: States that federal funding represents 4.1% to Iowa education funding and neglects funding for supplemental services, transportation, data collection, and professional development.

SPONSOR: Rep. Mary Mascher (D)

<http://www4.legis.state.ia.us/asp/Internet/Cool-ICE/Resolutions.htm>

Status: Resolution filed 02/10/05

Maine

LD 676: Directs the Attorney General to bring suit against the federal government and any other appropriate parties if the federal funding provided to the State is insufficient to implement NCLB. The Attorney General may also seek relief from the imposition of the federal requirements for which funding is insufficient. SPONSOR: Sen. Michael Brennan (D)

<http://janus.state.me.us/legis/LawMakerWeb/externalsiteframe.asp?ID=280015435&LD=676&Type=1&SessionID=6>

LR 1436: Directs you to LD 676.

<http://janus.state.me.us/legis/LawMakerWeb/summary.asp?ID=280015435>

Maryland

SJR 10: States the expanded role of the federal government to impact all of education and that federal funding falls short for services needed for special education students. Also states the conflict between IDEA and NCLB. Resolves that Congress fully fund the law or that the General Assembly seek waivers from the requirements of NCLB. SPONSOR: Sen. Jennie Forehand (D)
<http://mlis.state.md.us/#bill> (not available yet as of 05/25/05)

Minnesota

HF 23: Directs education commissioner to seek waiver from ineffective provisions of NCLB. (Introduced 1/06/05 and referred to the Education Policy and Reform). SPONSOR: Rep. Carlos Mariani (D)
http://www.house.leg.state.mn.us/bills/billnum.asp?Billnumber=hf23&ls_year=84&session_year=2005&session_number=0
Status: Introduced 1/06/05

SF 1092: Resolution memorializing Congress to refrain from expanding NCLB requirements to high schools. SPONSOR: Sen. Geoff Michel (DFL)
http://www.revisor.leg.state.mn.us/revisor/pages/search_status/status_detail.php?b=Senate&f=sf1092&ssn=0&y=2005
Status: Referred to Education Policy and Reform 3/21/05

SF 1245: A resolution memorializing Congress to amend NCLB according to the recommendations of the NCSL task force on NCLB, by increasing state flexibility in meeting the law's spirit without violating the 10th Amendment, allow the use of value-added, recognize the contradictions between IDEA and NCLB, and revisit the 100 percent proficiency expectations and costs of implementing the law. SPONSOR: Sen. Steve Kelley (DFL)
http://www.revisor.leg.state.mn.us/revisor/pages/search_status/status_detail.php?b=Senate&f=SF1245&ssn=0&y=2005
Status: Referred to Education Policy and Reform 3/21/05

SF 1244: A bill that would nullify and revoke contracts with USED over NCLB on July 1, 2006 if the state does not receive approval to use value added, multiple measures, averaging of state data for proficiency calculations, addresses AYP, etc. SPONSOR: Sen. Steve Kelley (DFL)
http://www.revisor.leg.state.mn.us/revisor/pages/search_status/status_detail.php?b=Senate&f=SF1244&ssn=0&y=2005
Status: Re-referred to Finance 5/21/05

HB 1490: no information available as of 5/25/05.
Status: Not introduced.

Mississippi

HB 150: Creates the school testing right to know act, which provides policymakers and the public with accurate information with which to make future decisions about the direction of education policy in the state of Mississippi, and for related purposes.

<http://billstatus.ls.state.ms.us/documents/2005/pdf/HB/0100-0199/HB0150IN.pdf>

Nebraska

LR 23: Asks Congress to fully fund NCLB or modify its contents to reflect its contents to better reflect the Congress' actual financial commitment to the program. (Introduced Jan. 2005).

SPONSOR: Sen. Gwen Howard.

http://www.unicam.state.ne.us/pdf/INTRO_LR23.pdf (Introduced Version)

February 9, 2006: Indefinitely postponed

Nevada

AB 562: Gives primacy to the state accountability system when it conflicts with NCLB and requests a study of the costs of implementing the federal law.

<http://www.leg.state.nv.us/73rd/bills/AB/AB562.pdf>

June 7, 2005: Referred to Senate Finance with no further action

New Mexico

HM 02: Resolves that Congress should fund the lofty mandates of NCLB or to accept a measure of responsibility for failing to achieve them. SPONSOR: Ray Begaye (D)

<http://legis.state.nm.us/lcs/session.asp?chamber=H&type=M&number=2&Submit=Search&year=05>

Status: Passed 2/10/05

HJM 35: Requests that the Public Education Department provide certain information on the federal funding received by New Mexico for implementation of the federal No Child Left Behind Act of 2001.

<http://legis.state.nm.us/Sessions/05%20Regular/final/HJM035.pdf>

April, 2005: Passed and signed

North Dakota

HB 1038: Establishes an NCLB advisory commission, amends and reenacts section 54-35-21 of the North Dakota Century Code, relating to the interim NCLB committee, and declares and emergency. (Introduced 1/04/05). SPONSOR: Legislative Council.

<http://www.state.nd.us/lr/assembly/59-2005/bill-actions/ba1038.html>

Status: Failed to pass Senate second reading 3/17/05

HB 1365: Allows local school districts to opt out of NCLB, (Introduced 1/12/05 and referred to Education Committee. Hearing 1/25/05). SPONSOR: Rep. Margaret Sitte (R)

<http://www.state.nd.us/lr/assembly/59-2005/bill-actions/ba1365.html>

Status: Failed to pass House second reading 2/09/05

HCR 3012: Urges the Secretary of the United States Department of Education to declare that elementary teachers licensed by the North Dakota Education Standards and Practices Board meet and exceed all requirements for being highly qualified as provided by the No Child Left Behind Act.

<http://www.state.nd.us/lr/assembly/59-2005/bill-text/FGHH0200.pdf>

Status: Withdrawn 2/08/05

Oregon

HB 2900: Prohibits states and local educational agencies from participating in federal No Child Left Behind Act of 2001 if adequate federal funding is not received.

<http://www.leg.state.or.us/05reg/measpdf/hb2900.dir/hb2900.intro.pdf>

August 5, 2005: Referred to Ways in Means and Education with no further action taken (died)

HJM 27: Urges Congress to amend the No Child Left Behind Act to provide for waivers and adequate federal funding.

<http://www.leg.state.or.us/05reg/measpdf/hjm1.dir/hjm0027.intro.pdf>

August 5, 2005: Referred to Education with no further action taken (died)

Utah

HB 135: Requires school officials to determine if NCLB is violating Section 9527 by forcing the state to spend its own resources or change its curriculum to comply with the federal mandates. In such a case, the bill would require school officials to file a waiver under Section 9401. School officials are also required to request reasonable time to comply from federal officials, lobby Congress to make changes to the law and pursue waivers and resolve conflicts between IDEA and NCLB. The bill grants power to parents and school officials to decide whether NCLB or IDEA prevails in cases of conflict. Sponsor Rep. Margaret Dayton (R)

<http://www.le.state.ut.us/~2005/htmdoc/hbillhtm/HB0135.htm>

Status: House filed 3/02/05

HB 1001: Same as the above measure, but filed during the 2005 special session. Sponsor Rep. Margaret Dayton (R)

PASSED BOTH CHAMBERS APRIL 20, 2005, SIGNED BY GOV. MAY 2, 2005.

<http://www.le.state.ut.us/~2005S1/htmdoc/hbillhtm/HB1001.htm>

HJR 3: Recognizes Utah's commitment to competency-measured education and the state's leadership role in providing quality education for its citizens. Recognizes that the Utah Performance Assessment System for Students (U-PASS) should be the basis for assessing and monitoring Utah's students and schools; recognizes that in order to increase student achievement, Utah should utilize competency-measured education and student growth measurements as described in U-PASS and Utah State Senate Bill 154, 2003 General Session; recognizes that the state should control its public education budget and allocate money according to Utah's priorities and needs, driven by decision-making of local

school boards; and recognizes that until certain federal actions are taken, Utah should utilize its own proven system of student accountability and reassert its historic leadership role in providing a quality public education for the citizens of Utah. (Introduced 1/06/05). SPONSOR: Rep. Kory Holdaway (R)

<http://www.le.state.ut.us/~2005/htmdoc/hbillhtm/HJR003.htm>

Status: House to Lieutenant Governor 3/07/05

Vermont

HB59 and SB 38: Orders the state to withdraw from NCLB participation. (Introduced 1/18/05 and referred to Education.) SPONSOR: Rep. Willem Jewett (D) and Sen. Claire Ayer (D).

HB 59-<http://www.leg.state.vt.us/docs/legdoc.cfm?URL=/docs/2006/bills/intro/H-059.HTM>
(Introduced Version)

Status: Read first time in education committee (1/15/05)

SB 38-<http://www.leg.state.vt.us/docs/legdoc.cfm?URL=/docs/2006/bills/intro/S-038.HTM>

Status: Read first time in education committee (1/17/05)

Virginia

HB 1592, HB2602, HB2685, HJR 561, HJR 576, HJR 708, SB 948, SB1136, SJR 437: Directs Board of Education to seek waivers from NCLB or urges Congress and the administration to grant waivers to states that maintain high academic standards. (Introduced 1/03/05 to 1/12/05).

SPONSORS: Del. Gary Reese (R), Steve Landes (R), Albert Pollard (D), Sen. Russell Potts (R), Sen. Emmett Hanger (R)

HB 2602- <http://leg1.state.va.us/cgi-bin/legp504.exe?051+ful+CHAP0013>

SB 1136- <http://leg1.state.va.us/cgi-bin/legp504.exe?051+ful+CHAP0011>

HB1592 (incorporated into HB2602), HB2602 (Passed 3/16/05), HB2685 (incorporated into HB2602), HJR561 (tabled in rules 2/2/05), HJR576 (passed by indefinitely in rules 2/3/05), HJR708 (passed by indefinitely by rules 1/26/05), SB948 (incorporated into SB1136), SB1136 (Passed 3/16/05), SJR437 (left in rules 2/8/05)

Washington

SJM 8011: States the desire to be granted flexibility in SWD and LEP students, applying sanctions on schools that miss AYP, how districts are identified as in need of improvement, and requests Congress to work with state legislatures by granting time, flexibility and changes to ensure successful nationwide implementation of NCLB. SPONSOR: Sen. Rosemary McAuliffe, et. al. (D).

<http://www.leg.wa.gov/wsladm/billinfo1/dspBillSummary.cfm?billnumber=8011>

January 9, 2006: Reintroduced and referred to Rule Committee

HJM 4010: Memorial petitioning Congress and the President to fully fund NCLB, to improve language in the Act and regulations concerning its implementation, to make improvements to address issues raised in this memorial (LEP, SWD, no growth) and to grant time, flexibility and changes that will ensure successful nationwide implementation of the law. SPONSOR: Linville (D).

Status: Passed education committee sent to Rules Committee for second reading (March 2, 2005).

<http://www.leg.wa.gov/wsladm/billinfo1/dspBillSummary.cfm?billnumber=4010&year=2005>

January 9, 2006: Reintroduced and referred to Education Committee

The New York Times

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Columns

Schools Cut Back Subjects to Push Reading and Math

By **SAM DILLON**

Published: March 26, 2006

SACRAMENTO — Thousands of schools across the nation are responding to the reading and math testing requirements laid out in No Child Left Behind, President Bush's signature education law, by reducing class time spent on other subjects and, for some low-proficiency students, eliminating it.

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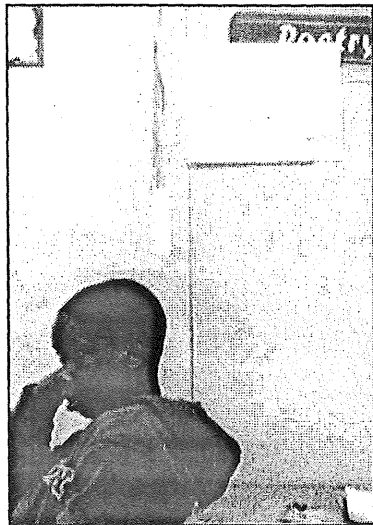
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Max Whittaker for The New York Times

Devars Dean, left, and Inerik Salas, seventh graders at Martin Luther King Jr. Junior High in Sacramento, Calif., where intensive

Schools from Vermont to California are increasing — in some cases tripling — the class time that low-proficiency students spend on reading and math, mainly because the federal law, signed in 2002, requires annual exams only in those subjects and punishes schools that fall short of rising benchmarks.

The changes appear to principally affect schools and students who test below grade level.

The intense focus on the two basic skills is a sea change in American instructional practice, with many schools that once offered rich curriculums now systematically trimming courses like social studies, science and art. A nationwide survey by a nonpartisan group that is to be made public on March 28 indicates that the practice, known as narrowing the curriculum, has become standard procedure in many communities.

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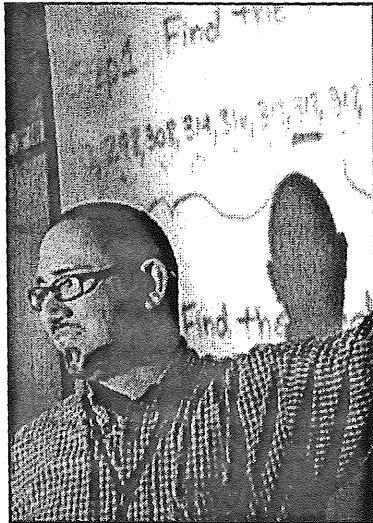
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Mostly Reading and Math

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Max Whittaker for The New York Times

Martín Lara, a math teacher at King Junior High, said the intense focus was paying off for one of his students, whose skills were solidifying. [More Photos >](#)

The survey, by the Center on Education Policy, found that since the passage of the federal law, 71 percent of the nation's 15,000 school districts had reduced the hours of instructional time spent on history, music and other subjects to open up more time for reading and math. The center is an independent group that has made a thorough study of the new act and has published a detailed yearly report on the implementation of the law in dozens of districts.

"Narrowing the curriculum has clearly become a nationwide pattern," said Jack Jennings, the president of the center, which is based in Washington.

At Martin Luther King Jr. Junior High School in Sacramento, about 150 of the school's 885 students spend five of their six class periods on math, reading and gym, leaving only one 55-minute period for all other subjects.

About 125 of the school's lowest-performing students are barred from taking anything except math, reading and gym, a measure that Samuel Harris, a former lieutenant colonel in the Army who is the school's principal, said was draconian but necessary. "When you look at a kid and you know he can't read, that's a tough call you've got to make," Mr. Harris said.

The increasing focus on two basic subjects has divided the nation's educational establishment. Some authorities, including Secretary of Education Margaret Spellings, say the federal law's focus on basic skills is raising achievement in thousands of low-performing schools. Other experts warn that by reducing the academic menu to steak and potatoes, schools risk giving bored teenagers the message that school means repetition and drilling.

"Only two subjects? What a sadness," said Thomas Sobol, an education professor at Columbia Teachers College and a former New York State education commissioner. "That's like a violin student who's only permitted to play scales, nothing else, day after day, scales, scales, scales. They'd lose their zest for music."

But officials in Cuero, Tex., have adopted an intensive approach and said it was helping them meet the federal requirements. They have doubled the time that all sixth graders and

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some seventh and eighth graders devote to reading and math, and have reduced it for other subjects.

"When you only have so many hours per day and you're behind in some area that's being hammered on, you have to work on that," said Henry Lind, the schools superintendent. "It's like basketball. If you can't make layups, then you've got to work on layups."

Chad Colby, a spokesman for the federal Department of Education, said the department neither endorsed nor criticized schools that concentrated instructional time on math and reading as they sought to meet the test benchmarks laid out in the federal law's accountability system, known as adequate yearly progress.

"We don't choose the curriculum," Mr. Colby said. "That's a decision that local leaders have to make. But for every school you point to, I can show you five other schools across the country where students are still taking a well-rounded curriculum and are still making adequate yearly progress. I don't think it's unreasonable to ask our schools to get kids proficient at grade level in reading and math."

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Research Supporting the Use of American Sign Language with Young, Hearing Children

Drs. Linda Acredolo and Susan Goodwyn are authors of a longitudinal study funded by the National Institutes of Child Health and Human Development which showed that very young children who used symbolic gestures have larger vocabularies, understand more words and engage in more sophisticated play than their non-signing peers. Signing children were also found to have higher IQ scores than the non-signing children in this study (average IQ score of 114 vs. 102 for non-signing children).

Acredolo, L.P., & Goodwyn, S.W. (July 2000). The long-term impact of symbolic gesturing during infancy on IQ at age 8. Paper presented at the meetings of the International Society for Infant Studies, Brighton, UK.

Goodwyn, S.W., Acredolo, L.P. & Brown, C. (2000). Impact of Symbolic Gesturing on Early Language Development. Journal of Nonverbal Behavior, 24, 81-103.

Dr. Marilyn Daniels, a professor of speech communication at Penn State University, has found that hearing students in pre-kindergarten classes who receive instruction in both English and American Sign Language perform significantly better on the Peabody Picture Vocabulary Test than hearing students in classes with no ASL instruction. Daniels suggests that adding visual and kinesthetic elements to verbal communication helps augment vocabulary, spelling and reading skills of preschool children.

The urban African-American students in Daniels' studies appeared to disproportionately benefit from using sign language in the classroom, suggesting that signing may be one way to help close the academic achievement gap between suburban Caucasian and urban African American student populations.

Daniels, M. (October, 1994). The effects of sign language on hearing children's language development. Communication Education, 43, 291-298.

Daniels, M. (1996). Seeing language: The effect over time of sign language on vocabulary development in early childhood education. Child Study Journal, 26, 193-208.

Additional research finds that sign language supports early literacy skills:

Felzer, L. (1998). A Multisensory Reading Program That Really Works. *Teaching and Change*, 5, 169-183

Wilson, R., Teague, J., and Teague, M. (1985). The Use of Signing and Fingerspelling to Improve Spelling Performance with Hearing Children. *Reading Psychology*, 4, 267-273.

Hafer, J., and Wilson, R. (1968). *Signing for Reading Success*. Washington D.C: Clerc Books, Gallaudet University Press.

Koehler, L., and Loyd, L. (September, 1866). Using Fingerspelling/Manual Signs to Facillitate Reading and Spelling. *Biennial Conference of the International Society for Augmentative and Alternative Communication*. (4'th Cardiff Wales).

Carney, J. Cioffi, G., & Raymond-White, M. (1985, Spring). Using sign language for teaching sight words. *Teaching Exceptional Children*, 17 (3), 214-217.

Heller, I., Manning, D., Pavur, D., & Wagner, K. (1998, Jan.-Feb.). Let's all sign: enhancing language development in an inclusive preschool. *Teaching Exceptional Children*, 50-53.

Manning-Beagle, D. (1988). Learning through motion: sign language for young children. In E. Jones (ed.), *Reading, writing and talking with four, five and six year olds*. Pasedena, CA: Pacific Oaks College.

Researchers studying multilingualism have found that individuals exposed to more than one language tend to have higher levels of creativity and brains that develop more densely than monolingual individuals:

Mechelli, A. Neurolinguistics: Structural plasticity in the bilingual brain. Proficiency in a second language and age at acquisition affect grey-matter density. *Nature*, October 2004; vol 431: p. 757.

Ricciardelli, L. Creativity and Bilingualism. *Journal of Creative Behavior*; 1992, vol 26, Number 4.



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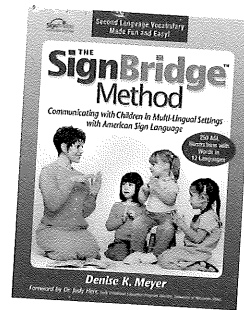


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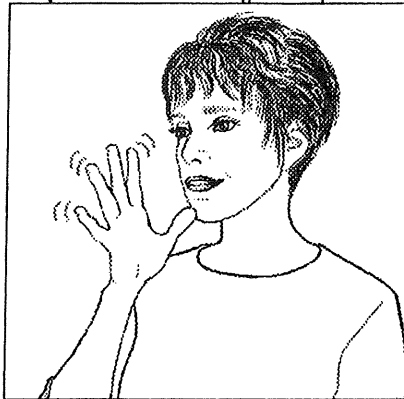
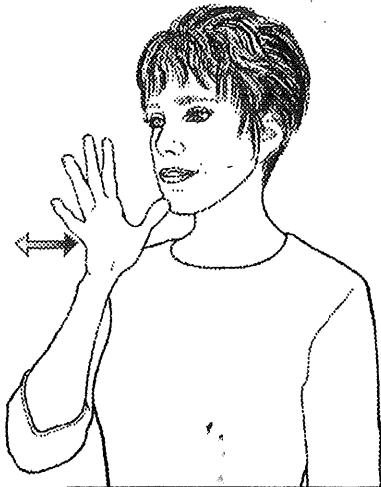
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MOM/MOTHER

The thumb of the dominant open hand is tapped to the chin; the fingers are wiggled for *Mother*



Spanish: Madre
Pronounced: Mäd-rä

Arabic: أم
Pronounced: Ûm

Chinese: 妈妈
Pronounced: Ma Ma

French: Mère
Pronounced: Mare

German: Mutter
Pronounced: Mütə

Hmong: Niam
Pronounced: Nee-uh
Tone: Low

Japanese: お母さん
Pronounced: O kaa san

Korean: 어머니
Pronounced: OMôNi

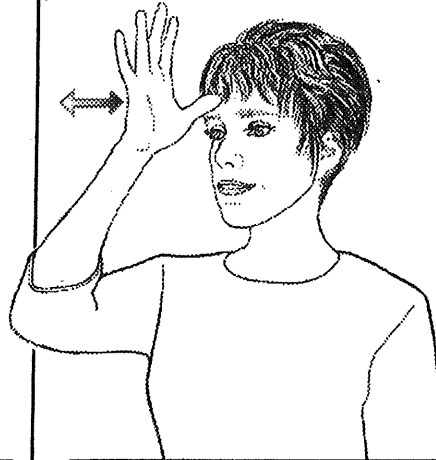
Russian: Мать
Pronounced: Mat'

Somali: Hooyo
Glottal Stop: Hoe-yo

Vietnamese: Má
Pronounced: Ma

DAD/FATHER

The thumb of the dominant open hand is tapped to the forehead; the fingers are wiggled for *Father*



Spanish: Padre
Pronounced: Pädrä

Arabic: أب
Pronounced: Ab

Chinese: 爸爸
Pronounced: Ba Ba

French: Père
Pronounced: Pear

German: Vater
Pronounced: Fätə

Hmong: Txiv
Pronounced: Dzee
Tone: Rising

Japanese: お父さん
Pronounced: O tou san

Korean: 아버지
Pronounced: ABôji

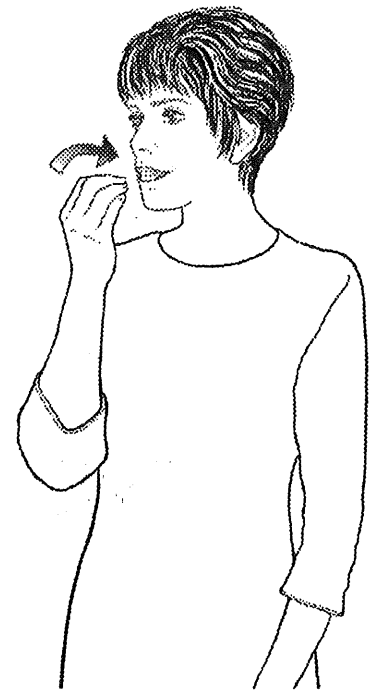
Russian: Отец
Pronounced: Otëts

Somali: Aabo
Glottal Stop: Aabe

Vietnamese: Ba
Pronounced: Ba

EAT

The fingers place imaginary food into the mouth as if *eating*



Spanish: Comer
Pronounced: Kômër

Arabic: يأكل
Pronounced: Ya'köl

Chinese: 吃
Pronounced: Chi

French: Manger
Pronounced: Mänzhä

German: Essen
Pronounced: Esən

Hmong: Noj
Pronounced: Nah
Tone: Falling

Japanese: 食べる
Pronounced: Ta be ru

Korean: 먹다
Pronounced: MòkDa

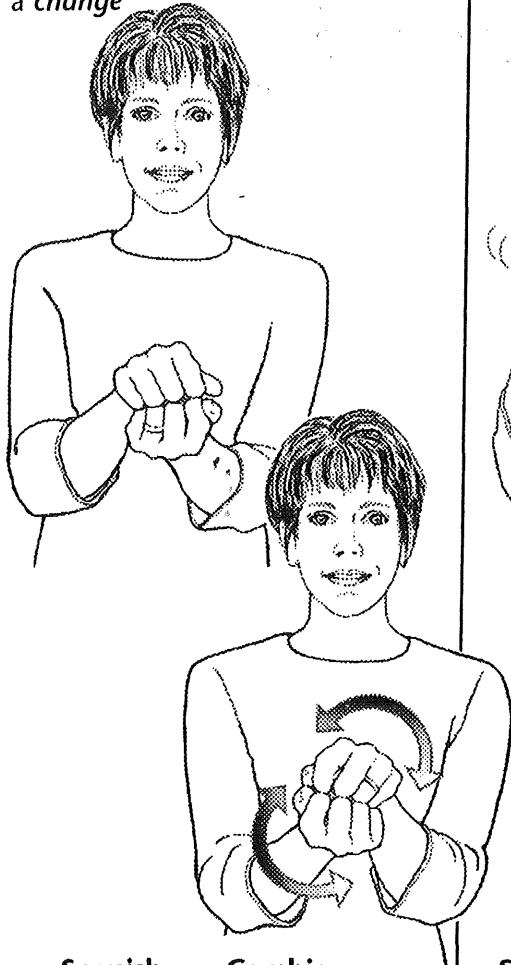
Russian: Есть
Pronounced: Yest''

Somali: Cun
Glottal Stop: 'Un

Vietnamese: Ăn
Pronounced: Un

CHANGE

The two hands are placed together and rotated, indicating a *change*



Spanish: Cambio
Pronounced: Kämbyō

Arabic: يغير
Pronounced: Yughayer

Chinese: 换
Pronounced: Huan

French: Change
Pronounced: Shä'zh

German: Wechseln
Pronounced: Veksäl'n

Hmong: Hloov
Pronounced: Hlohng
Tone: Rising

Japanese: 取り替える
Pronounced: To ri ka e ru

Korean: 갈다
Pronounced: GalDa

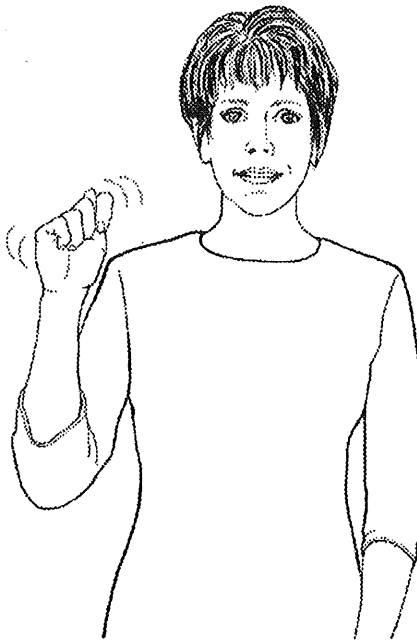
Russian: Менять
Pronounced: Meniat'

Somali: Beddel
Glottal Stop: Beddel

Vietnamese: Thay
Pronounced: Tay

TOILET

The dominant *T* hand is shaken back and forth



Spanish: Inodoro
Pronounced: Ēnödörō

Arabic: مرحاض
Pronounced: Mirhad

Chinese: 厕所/尿壶
Pronounced: Ce suo/Niao hu

French: Toilette
Pronounced: Twälët

German: Toilette/Töpfchen
Pronounced: Twälet/Tœpfkhen

Hmong: Qhov Viv
Pronounced: Kah 'Vee
Tone: Rising Rising

Japanese: トイレ/便器
Pronounced: To i re/ben ki

Korean: 화장실/어린이 변기
Pronounced: HwajangSil/ORINI ByonGi

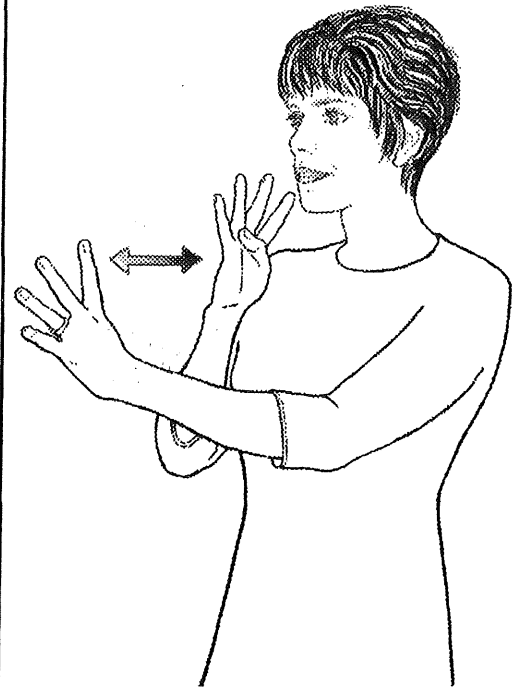
Russian: Унитаз/Горшок
Pronounced: Unitaz/Gorshok

Somali: Musqul, Suuli
Glottal Stop: Muskul, Sooli

Vietnamese: Nhà Tắm
Pronounced: Nya Tam

LINE UP

The fingers of the two *4* hands are placed together and then drawn apart, representing a row of people *lined up*



Spanish: Alinear
Pronounced: Älënäär

Arabic: يصطف
Pronounced: Yastaf

Chinese: 排队
Pronounced: Pai Dui

French: Aligner
Pronounced: Älënyä

German: In eine Reihe stellen
Pronounced: In İnä rīyə shtelən

Hmong: Sawv Ua Ib Kab
Pronounced: Shuh oo-uh 'ee 'ka
Tone: Rising mid high high

Japanese: 一列に並ぶ
Pronounced: Ichi retu ni narabu

Korean: 줄서기
Pronounced: JulSōGi

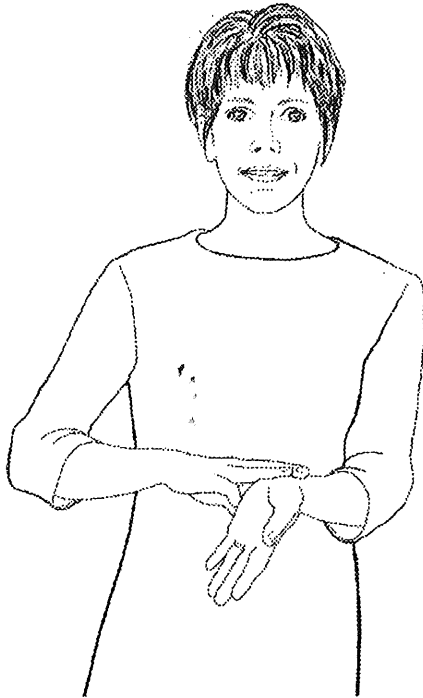
Russian: Строиться в ряд
Pronounced: Stroitsa v riad

Somali: Safo, Saf Gal
Glottal Stop: Safo, Saf Gal

Vietnamese: Sắp Hàng
Pronounced: Sap Hong

DOCTOR

Place the fingers of the dominant *M* (or *D*) hand on the other wrist, representing a *doctor* feeling your pulse



Spanish: Doctor/Médico
Pronounced: Dōktōr/Māthēkō

Arabic: دكتور
Pronounced: Diktōr

Chinese: 医生
Pronounced: Yi sheng

French: Docteur
Pronounced: Dāktər

German: Doktor
Pronounced: Dōktə

Hmong: Kws kho mob
Pronounced: Geu kah 'mah
Tone: Mid-low mid high

Japanese: 医者
Pronounced: I sha

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Pronounced: EuSa

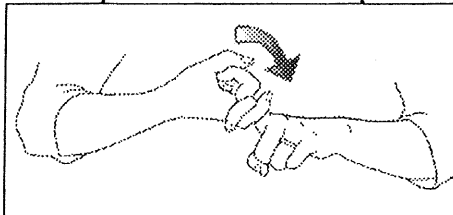
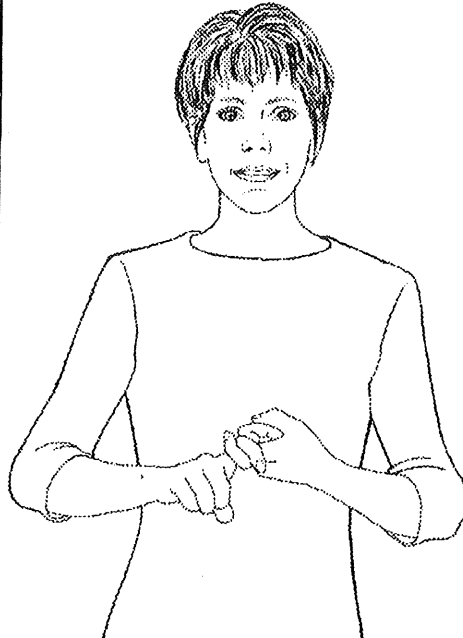
Russian: Врач
Pronounced: Vrach

Somali: Takhtar
Glottal Stop: Takhtar

Vietnamese: Bác Sĩ
Pronounced: Bach see-e

FRIEND

The index fingers are linked together alternately, as if linking arms at the elbow with a good *friend*



Spanish: Amigo
Pronounced: Āmēgō

Arabic: صديق
Pronounced: Sādēk

Chinese: 朋友
Pronounced: Peng you

French: Ami
Pronounced: Āmē

German: Freund
Pronounced: Frōēnt

Hmong: Phooj ywg
Pronounced: 'Pohng yeu
Tone: Falling breathy

Japanese: 友達
Pronounced: To mo da chi

Korean: 친구
Pronounced: ChinKu

Russian: Друг
Pronounced: Drug

Somali: Saaxiib
Glottal Stop: Saahliib

Vietnamese: Bạn
Pronounced: Bon

ME

Point the dominant index finger to the chest



Spanish: Yo
Pronounced: Yō

Arabic: ني
Pronounced: To Come

Chinese: 我
Pronounced: Wo

French: Moi
Pronounced: Mwā

German: Ich
Pronounced: Ikh

Hmong: Kuv
Pronounced: Goo
Tone: Rising

Japanese: 私
Pronounced: Wa ta shi

Korean: 나
Pronounced: Na

Russian: Я, Мне
Pronounced: Ya, Mne

Somali: i
Glottal Stop: E

Vietnamese: Con
Pronounced: Kon

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S.F. No. 3412 - School Bus Equipment Standards Update; School Bus Discipline Policies Clarification

Author: Senator Rod Skoe

Prepared by: Shelby Winiecki, Senate Research (651/296-5259)

Date: March 27, 2006

Section 1 [Student training.] requires that all students in grade 10 receive training in the laws and procedures of driving near school buses. Upon the request of the superintendent, the district's transportation director must certify to the superintendent that all students being transported by bus within the district have received bus safety training.

Section 2 [Compliance by nonpublic and charter schools.] requires that all nonpublic and charter school that have students transported by the public school district buses comply with the student conduct and discipline policies of the transporting district. Allows the transporting district to withhold transportation service if the charter or nonpublic school fails to follow the student conduct and discipline policies until the receiving school complies.

Section 3 [Definitions.] allows a school district to designate a school day care facility as the home of a pupil for part or all of the day for the purposes of providing transportation to and from school.

Section 4 [District reports.] allows a school district using contracted services to report actual, known costs for certain transportation services instead of categorized costs for the purposes of certain school district transportation reports. This section is effective for fiscal year 2006.

Section 5 [School bus.] conforms the definition of a type A and type C school bus to the new national standards. This section is effective January 1, 2007.

Section 6 [Driver seat belt.] clarifies that all school buses and Head Start buses manufactured after 1994 must have driver seat belts.

Section 7 [National standards adopted.] updates the reference to the "National School Transportation Specifications and Procedures" 2005 edition. This section is effective January 1, 2007.

Section 8 [Applicability.] makes the new standards apply to school buses manufactured after December 31, 2006. This section is effective January 1, 2007.

Section 9 [Electrical system; battery.] increases the minimum amperage of school bus generators and alternators to 130 amperes. This section is effective January 1, 2007.

Section 10 [Seat and crash barriers.] requires school bus seats to have a minimum mounting height of 15 inches and a seat back height of at least 20 inches above the seating reference point. This section is effective January 1, 2007.

Section 11 [Exception for certain school bus drivers.] removes from state law the provision that prohibits a person who has a fourth moving violation from operating a school bus for one year from the date of the last conviction.

Section 12 [Training.] allows a school bus driver to receive at least eight hours of school bus in-service training as an alternative to being assessed for bus driver competencies.

Section 13 [Annual evaluation and license verification.] clarifies that by June 30 of each year the district shall provide in-service training and verify the validity of employee drivers' licenses. Limits the fees charged to members of a nonprofit bus drivers' trade association for accessing certain drivers license information to not more than the fees charged to school districts for the same information.

Section 14 [Cancellation for disqualifying and other offenses.] removes the requirement that the commissioner of public safety cancel a school bus driver's endorsement after the driver has been convicted of a fourth moving violation in the last three years.

Section 15 [Certified copy of disqualifying offense convictions sent to public safety and school districts.] removes the offense of a fourth moving violation within three years from the list of disqualifying offenses for which the court administrator must notify the department of public safety and school districts.

Section 16 [Repealer.] repeals section 169.4502 subdivision 15 [Oil filter or oil filtration system.], section 169.4503, subdivision 17 [Mirrors.], section 169.4503 subdivision 18 [Overall width.], and section 169.4503 subdivision 26 [Crossing control arm.]. This section is effective January 1, 2007.

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We Are Changing What It Means To Be Blind

Web Site: www.nfbmn.org

In support of SF 3535 and HF 3851

**Resolution A05-01
Regarding the Inclusion of the Word "Blind" In Special Education Definition**

WHEREAS, all children who receive special education services in Minnesota because of legal blindness or other irregularities in their vision must be qualified for such services under Minnesota Rule 3525.1345; and

WHEREAS, such services may include anything from Braille and cane travel instruction to modification of seating arrangements in the classroom; and

WHEREAS, while "visually impaired" as defined in the rule includes some who are not legally blind, the rule is also clearly intended to apply to students who are blind; and

WHEREAS, the rule contains several references to "visually impaired" but never uses the word "blind" in the title or the text; and

WHEREAS, the equivalent rule covering hearing-impaired persons is titled "Deaf and Hard of Hearing" making the absence of the word "blind" a conspicuous omission; and

WHEREAS, the title of this rule, "visually impaired", which is used to categorize students receiving special education services, is a prominent part of the student's Individualized Education Plan (IEP) and influences the options considered therein; and

WHEREAS, an instance recently occurred in which education officials cited the absence of the word "blind" in the Minnesota Rule to support their refusal to refer to a student as blind in his IEP; and

WHEREAS, understanding and accepting blindness is an important part of developing positive attitudes about blindness, both for the student who is blind and for the professionals who work with the students; now therefore

BE IT RESOLVED by the National Federation of the Blind of Minnesota on this eighth day of October, 2005, in the city of Bloomington, Minnesota, that this organization seek (and support efforts to seek) legislative authorization to make a non-controversial modification to Minnesota Rule 3525.1345 for the purpose of adding the word "blind" to its title so that it reads "Blind/Visually Impaired"; and

BE IT FURTHER RESOLVED that after approval to modify the rule has been received, this organization work with the appropriate entities to ensure inclusion of the word "blind" in the rule title.