

6/3/91

**STATE OF MINNESOTA
BOARD OF THE MINNESOTA CENTER FOR ARTS EDUCATION**

**STATEMENT OF NEED AND REASONABLENESS FOR PROPOSED MINNESOTA
RULE
PARTS 3600.0010 to 3600.0070 RELATING TO ADMISSION INTO THE
FULL-TIME HIGH SCHOOL PROGRAM**

AUTHORITY:

Laws of Minnesota, 1989 Chapter 329, Article 12, Section 3, authorizes the board of the Center for Arts Education to promulgate rules regarding admission to its full-time high school program according to Chapter 14.

BACKGROUND:

This statement addresses revisions to the rules for admission which were adopted in June, 1988 and revised in December, 1989.

A need for several changes has emerged from the first two years of experience in implementing the rules for admission. Following is a listing of each change, the need for it, and a rationale for why the change is appropriate.

DETAIL BY SECTION:

3600.0010 DEFINITIONS

Lines 8-12, Page 1

Subp. 6. School record. "School record" means a transcript of courses taken at the secondary level and their accompanying grades, secondary level attendance records, and ~~any disciplinary action that pertains to the applicant's work at the secondary level~~ individual education plan, if applicable.

It has been found that secondary level school records do not contain citations of disciplinary actions. The request for them has been deleted because it yields no useful information. The submission of individualized education plans will provide the final review teams with additional information that will assist them in making determinations in cases where motivational and attitudinal factors may be in question as a result of evidence in the other school records.

The Legislative Commission to
Review Administrative Rules

AUG - 2 1991



3600.0030 APPLICATION PROCESS

Line 17, Page 1 (Subp. 1)

~~December 15, February 1~~ of each year, who meets the following

It was found that December 15 was too early in the year for many parents and students. During the high school years parents generally do not start planning changes for the following years until after January 1. February 1 is a reasonable date when understood within this pattern of decision making.

Lines 19-32, Page 1 (Subp. 1)

- A. ~~For enrollment in the full-time high school program, pupils who will be in the as an 11th grade the following September. grader.~~ pupils who have successfully completed grade 9 and are enrolled in grade 10 at the time of application and who, at the time of enrollment, have earned sufficient credits to be making normal progress toward graduation. For enrollment in the full-time high school program as a 12th grader, pupils who have successfully completed grades 9 and 10 and are enrolled in grade 11 at the time of application and who, at the time of enrollment, have earned sufficient credits to be making normal progress toward graduation. Pupils who have insufficient credits, as determined by standards established at the time of enrollment, will not be accepted for enrollment.

These changes clarify who may apply according to credit accumulation in relation to normal progress toward graduation. Several cases have occurred in which students enrolled in the 11th grade, have withdrawn from school, taking the school year off, so that they could qualify for admission. The proposed changes would make this impossible. This section also allows 11th graders to apply for admission as 12th graders. Normal attrition opens up a limited number of slots for seniors. It would be advantageous and economical to allow a limited number of 11th graders to apply for admission as 12th graders.

Lines 4-7, Page 2 (Subp. 2)

office, Monday through Friday, ~~8:00~~ 7:30 a.m. to ~~4:30~~ 4:00 p.m. Additionally, the center will mail forms to all high school buildings in the state. Application forms must be mailed back to the center, and be postmarked by ~~December 15~~ February 1, to

These changes are needed to conform with the Agency's new work hours for office staff.

Lines 13-14, Page 2 (Subp. 4)

program if they are eligible applicants as defined in part 3600.0030, subpart 1, at the time of application.

This change is needed to conform with the changes on Lines 19-32 on Page 1.

Lines 15-24, Page 2

Subp. 5. Matriculation as a 12th grader. Eleventh grade students enrolled in the full-time high school program must reapply for continuation in the program as a 12th grader by April 15 of their 11th grade year. Eleventh grade students will not be allowed to reenter the program as 12th grade students unless by the date of the final student learning plan they have achieved 75 percent of their learner outcomes in their art area and 75 percent of their learner outcomes in each of their other classes so as to satisfy the minimum credit requirements of the 11th grade year.

This addition is needed to allow the school to avoid certain provisions of expulsion as outlined in the Pupil Fair Dismissal Act. A small number of students have not succeeded in the full-time program curriculum. Regular procedures include a high level of "intervention" services, including tutorials, counseling, guided study, etc. In a few cases, in spite of these "interventions," students continue to not succeed. Under current procedures, if a student and/or his parents do not agree to withdraw from the program, the school must proceed toward expulsion according to the Pupil Fair Dismissal Act. This involves a lengthy legal process. It is costly and time consuming. It was never intended that the arts high school be a school of last resort. The arts high school was envisioned as a school of special placement for highly motivated artistically talented students. Requiring students to reapply is reasonable practice. Because the school provides a high level of support services to help students succeed, it is reasonable to conclude that a student not succeeding according to minimum progress standards should not be allowed to continue into the senior year and may, in fact, perform better back in his/her district school.

3600.0040 ARTS REVIEW PROCESS

Lines 30-31, Page 2 (Subp. 1)

southern Minnesota, ~~from January to mid-March each year.~~ Locations and dates for the reviews will be determined by the

These changes give the board more latitude in scheduling the dates for the reviews. Current rules were found to be too rigid and not to conform to the new proposed application deadline of February 1.

3600.0060 EVALUATION BY THE FINAL REVIEW TEAM.

Lines 5-13, Page 3 (Subp. 1)

~~these three factors appear, the final review team will request additional information from the applicants and the applicants' home schools to determine if these factors would make placement in the full-time high school program inappropriate. If the information is not received within two weeks after the center's request, a decision will be based on the information previously provided shall determine if placement in the full-time arts high school program or residential component is inappropriate and may disqualify students on that basis.~~

There is a need to give the Final Review Team more clearly defined authority. It has been found that the requests for more information has not yielded new or convincing evidence. Giving the Final Review Team this authority is reasonable because the information they receive in the applications is sufficient and because they represent a broad array of professionals who are capable of valid decision making.

Lines 14-22, Page 3 (Subp. 2)

Subp. 2. —~~Recommendations~~ Application review. The final review team ~~must~~ shall read the applicants' ~~recommendations~~ applications to determine the applicants' attitudes about prior learning in the academic and arts areas. The final review team ~~may~~ shall assign ~~from zero to five~~ ten points for ~~each recommendation~~. ~~The final review team will assign points in the area of attitude according to what extent the recommendations demonstrate an applicant's the content of the applications according to the extent to which they demonstrate motivation and~~

It has been demonstrated that all recommendations are of a positive nature and, consequently, do not reveal important information for decision making. In addition, the requirement for submission of two recommendations may cause a defacto disqualification of some disadvantaged students. It is reasonable to give the Final Review Team the authority to assign up to 10 points for motivation based on the application materials because the contents of the application includes a student statement regarding his/her intention for arts study and because the school record generally demonstrates motivation and commitment to further study.

3600.0070 APPEAL PROCESS

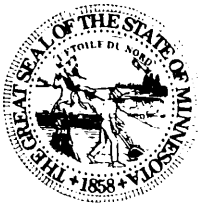
Lines 27 (Subp. 1) and 34 (Subp. 2), Page 3

parents or guardians may make written requests for explanations

still in dispute, applicants or applicants' parents or guardians

These changes are needed to recognize that some students are without parents and are assigned to guardians.

LCRAR



Legislative Commission

to Review Administrative Rules

Representative Peter Rodosovich
Chair

Senator Phil Riveness
Vice Chair

55 State Office Building
St. Paul, Minnesota 55155-1201
Telephone 612/296-1143

Maryanne V. Hruby, Director

July 19, 1991

*proposed 6/3/91 S.R.
received 8/2/91*

James Undercofler, Executive Director
Minnesota Center for Arts Education
6125 Olson Memorial Highway
Golden Valley, Minnesota 55422

Dear Mr. Undercofler:

I write to request a copy of the Center for Arts Education's Statement of Need and Reasonableness (SONAR) for recently published rules relating to student assistance fund and admissions.

As you may know, Minnesota Statutes, sections 14.131 and 14.23 now require state agencies to provide copies of SONAR's to the LCRAR when they become available for public review.

If you have not already done so, please send a copy of the SONAR for these proposed rules to:

The Legislative Commission to Review Administrative Rules
Maryanne Hruby, Director
55 State Office Building
St. Paul, Minnesota 55155

Please contact me at 296-1143 if you have any questions.

Thank you.

Sincerely,

A handwritten signature in cursive script that reads "Michele Swanson".

Michele Swanson
Commission Secretary



✓ 1/13/92

**STATE OF MINNESOTA
BOARD OF THE MINNESOTA CENTER FOR ARTS EDUCATION**

**STATEMENT OF NEED AND REASONABLENESS FOR PROPOSED MINNESOTA
RULE
PARTS 3600.0030 SUBP. 3 RELATING TO ADMISSION INTO THE FULL-
TIME HIGH SCHOOL PROGRAM**

AUTHORITY:

Minnesota Statutes 129C.10, subdivision 4a, authorizes the board of the Center for Arts Education to promulgate rules regarding admission to its full-time high school program according to Chapter 14.

BACKGROUND:

This statement addresses an error of omission that occurred during the last rule revision in July, 1991. The language in Minnesota Rules, part 3600.0030, subpart 3, relating to recommendations as part of the admissions review was to have been repealed during that process.

The following lists the proposed change, the need for it and a rationale for its appropriateness.

DETAIL

3600.0030 APPLICATION PROCESS

Subp. 3. Other information required. An applicant to the full-time high school program must submit a school record and ~~two recommendations. The recommendations must be submitted on forms provided by the center. One recommendation must be from an academic source selected by the applicant's school principal. The other recommendation must be from an artistic reference chosen by the applicant.~~

Three years of reviewing applicants for admission has demonstrated that all recommendations received are of a positive nature and, consequently, do not reveal important information for decision-making. In addition, the requirement for submission of two recommendations may be causing a defacto disqualification for some disadvantaged students or students who have not had the benefit of previous training or experience in the arts. The school record is retained as a source of information because it generally demonstrates motivation and commitment to further study.

The language regarding the assignment of points to the recommendations in the application review process was repealed previously during the adoption of revisions in July, 1991.

The Legislative Commission to
Review Administrative Rules

FEB 27 1992



8/10/92

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**STATE OF MINNESOTA
BOARD OF THE MINNESOTA CENTER FOR ARTS EDUCATION**

**STATEMENT OF NEED AND REASONABLENESS FOR PROPOSED MINNESOTA
RULE
PARTS 3600.0010 to 3600.0070 RELATING TO ADMISSION INTO THE
FULL-TIME HIGH SCHOOL PROGRAM**

AUTHORITY:

Minnesota Statutes 129C.10, subdivision 4a, authorizes the board of the Center for Arts Education to promulgate rules regarding admission to its full-time high school program according to Chapter 14.

BACKGROUND:

This statement addresses revisions to the rules for admission which were adopted in June, 1988 and revised in December, 1989.

A need for several changes has emerged from the first two years of experience in implementing the rules for admission. Following is a listing of each change, the need for it, and a rationale for why the change is appropriate.

DETAIL BY SECTION:

3600.0010 DEFINITIONS

Lines 8-12, Page 1

Subp. 6. School record. "School record" means a transcript of courses taken at the secondary level and their accompanying grades, secondary level attendance records, and ~~any disciplinary action that pertains to the applicant's work at the secondary level~~ individual education plan, if applicable.

It has been found that secondary level school records do not contain citations of disciplinary actions. The request for them has been deleted because it yields no useful information. The submission of individualized education plans will provide the final review teams with additional information that will assist them in making determinations in cases where motivational and attitudinal factors may be in question as a result of evidence in the other school records.

Post-It™ brand fax transmittal memo 7671 # of pages 6

To M. Hrubcy	From B. M. Donald
Co. Leg. Comm.	Co. MN Ctr. for Arts Ed.
Dept.	Phone # 591-4718
Fax # 296-1321	Fax # 591-4747

Statement of Need and Reasonableness
3600.0010-3600.0070
Page 2

3600.0030 APPLICATION PROCESS

Line 17, Page 1 (Subp. 1)

~~December 15, February 1~~ of each year, who meets the following

It was found that a December 15 application deadline was too early in the year for many parents and students. During the high school years parents generally do not start planning changes for the following years until after January 1. February 1 is a reasonable date when understood within this pattern of decision making.

Lines 19-32, Page 1 (Subp. 1)

- A ~~For enrollment in the full-time high school program, pupils who will be in the as an 11th grade the following September. grader, pupils who have successfully completed grade 9 and are enrolled in grade 10 at the time of application and who, at the time of enrollment, have earned sufficient credits to be making normal progress toward graduation. For enrollment in the full-time high school program as a 12th grader, pupils who have successfully completed grades 9 and 10 and are enrolled in grade 11 at the time of application and who, at the time of enrollment, have earned sufficient credits to be making normal progress toward graduation. Pupils who have insufficient credits, as determined by standards established at the time of enrollment, will not be accepted for enrollment.~~

These changes clarify who may apply according to credit accumulation in relation to normal progress toward graduation. They give clearer definition to how the school determines 11th grade status when assessing eligibility for application and enrollment. This section also allows 11th graders to apply for admission as 12th graders. Normal attrition opens up a limited number of slots for seniors. It would be advantageous and economical to allow a limited number of 11th graders to apply for admission as 12th graders.

Lines 3-9, Page 2 (Subp. 2)

Application forms will be available at the center's central office, Monday through Friday, ~~8:00 7:30~~ a.m. to ~~4:30 4:00~~ p.m. Additionally, the center will mail forms to all high school buildings in the state. Application forms must be mailed back to the center, and be postmarked by ~~December 15 February 1~~, to be considered for admission into the full-time high school program.

These changes are needed to conform with the Agency's new work hours for office staff.

Statement of Need and Reasonableness
3600.0010-3600.0070
Page 3

Lines 10-16, Page 2 (Subp. 3)

~~Subp. 3. Other information required. An applicant to the full-time high school program must submit a school record and two recommendations. The recommendations must be submitted on forms provided by the center. One recommendation must be from an academic source selected by the applicant's school principal. The other recommendation must be from an artistic reference chosen by the applicant.~~

Three years of reviewing applicants for admission has demonstrated that all recommendations received are of a positive nature and, consequently, do not reveal important information for decision-making. In addition, the requirement for submission of two recommendations may be causing a defacto disqualification for some disadvantaged students or students who have not had the benefit of previous training or experience in the arts. The school record is retained as a source of information because it generally demonstrates motivation and commitment to further study.

Lines 17-20, Page 2 (Subp. 4)

~~Subp. 4. Number of applications. An individual may apply up to two times for admission into the full-time high school program if they are eligible applicants as defined in part 3600.0030, subpart 1, at the time of application.~~

This change is needed to conform with the changes on Lines 19-32 on Page 1.

Lines 21-30, Page 2

~~Subp. 5. Matriculation as a 12th grader. Eleventh grade students enrolled in the full-time high school program must reapply for continuation in the program as a 12th grader by April 15 of their 11th grade year. Eleventh grade students will not be allowed to reenter the program as 12th grade students unless by the date of the final student learning plan they have achieved 75 percent of their learner outcomes in their art area and 75 percent of their learner outcomes in each of their other classes so as to satisfy the minimum credit requirements of the 11th grade year.~~

This addition is needed to allow the school greater latitude in dealing with the small number of students who are not succeeding in the full-time program curriculum. Regular support procedures implemented when a student experiences difficulty include a high level of "intervention" services, including tutorials, counseling, guided study, etc. In a few cases, in spite of these "interventions," students continue to not succeed. Under current procedures, if a student and/or his parents do not agree to voluntary withdrawal from the program, the school must proceed toward expulsion according to the Pupil Fair Dismissal Act. It was never intended that the arts high school be a school of last resort. The arts high school was envisioned as a school of special placement for highly motivated artistically talented students. Requiring students to reapply is reasonable practice. Because the school provides a high level of support services to help students succeed, it is reasonable to conclude that a student not succeeding according to minimum progress standards should not be allowed to continue into the senior year and may, in fact, perform better back in his/her district school.

Statement of Need and Reasonableness
3600.0010-3600.0070
Page 4

3600.0040 ARTS REVIEW PROCESS

Lines 1-2, Page 3 (Subp. 1)

~~southern Minnesota, from January to mid-March each year. Locations and dates for the reviews will be determined by the~~

These changes give the board more latitude in scheduling the dates for the reviews. Current rules do not allow enough scheduling flexibility to accommodate applicants' and reviewers' needs, especially should the application deadline be extended to February 1.

3600.0060 EVALUATION BY THE FINAL REVIEW TEAM

Lines 11-19, Page 3 (Subp. 1)

~~these three factors appear, the final review team will request additional information from the applicants and the applicants' home schools to determine if these factors would make placement in the full-time high school program inappropriate. If the information is not received within two weeks after the center's request, a decision will be based on the information previously provided shall determine if placement in the full-time arts high school program or residential component is inappropriate and may disqualify students on that basis.~~

There is a need to give the Final Review Team more clearly defined authority. It has been found that the requests for more information have not always yielded new or convincing evidence in assessing student placement. Giving the Final Review Team this authority is reasonable because the information they receive in the applications is sufficient and because they represent a broad array of professionals who are capable of valid decision-making. The Review Team still retains the authority to request additional information should they believe it is necessary and appropriate.

Lines 20-28, Page 3 (Subp. 2)

~~Subp. 2. — Recommendations Application review. The final review team must shall read the applicants' recommendations applications to determine the applicants' attitudes about prior learning in the academic and arts areas. The final review team may shall assign from zero to five ten points for each recommendation. The final review team will assign points in the area of attitude according to what extent the recommendations demonstrate an applicant's the content of the applications according to the extent to which they demonstrate motivation and~~

It has been demonstrated that all recommendations are of a positive nature and, consequently, do not reveal important information for decision making. In addition, the requirement for submission of two recommendations may cause a defacto disqualification of some disadvantaged students. It is reasonable to give the Final Review Team the authority to assign up to 10 points for motivation based on the application materials because the contents of the application include a student statement regarding his/her intention for arts study and because the school record generally demonstrates motivation and commitment to further study.

Statement of Need and Reasonableness
3600.0010-3600.0070
Page 5

3600.0070 APPEAL PROCESS

Line 33 (Subp. 1), Page 3

parents or guardians may make written requests for explanations

Line 5 (Subp. 2), Page 4

still in dispute, applicants or applicants' parents or guardians

These changes are needed to recognize that some students are without parents and are assigned to guardians.

Printed By: Barbara McDonald 8/20/92 1:52 PM
 From: Barbara Martin (8/19/92) Bev Haapoja (8/18/92)
 To: Barbara McDonald
 CC:
 BCC:
 Priority: Normal

Page: 1
 Bev Haapoja (8/18/92)

Date sent: 8/18/92 3:45 PM

 **While You Were Out** 

9:32 AM
 8/18/92

- Telephoned
- Please call
- Came to see you
- Will call again
- Wants to see you
- Returned your call
- See me for details

From FWD>WYWO- Maryanne Hruby
Of Legislative Commission To review the Admissions Pro.
Phone 296-1143 or Fax info to her at 296-1321

Notes Barbara, could you please fax a copy of the statement of need and reasonableness on the admissions rule to the above person. Could you also please indicate that this is a duplicate of what we had submitted before so they don't think that we are setting forth
 - more -

something new. Thanks.

Date: 8/18/92 9:40 AM
 From: Bev Haapoja
 Copy of the Statement Of Needs and Reasonability. Needs this ASAP so she can continue her work on it. Address: 55 State Office Building, St. Paul 55155