

August 19, 2011

Legislative Reference Library
645 State Office Building
100 Constitution Avenue
St. Paul, Minnesota 55155

Re: In The Matter of the Proposed Rules of the State Department of Education Relating To
English Language Arts Academic Standard; Governor's Tracking # AR 550.

Dear Librarian:

The Minnesota Department of Education intends to adopt rules relating to English Language Arts Academic Standards. We plan to publish a Dual Notice of Intent to Adopt Rules without a Public Hearing in the August 22, 2011 State Register.

The Department has prepared a Statement of Need and Reasonableness. As required by Minnesota Statutes, sections 14.131 and 14.23, the Department is sending the Library an electronic copy of the Statement of Need and Reasonableness at the same time we are mailing our Notice of Intent to Adopt Rules.

If you have questions, please contact me at 651-582-8583.

Yours very truly,

A handwritten signature in black ink that reads "Kerstin Forsythe Hahn".

Kerstin Forsythe Hahn, J.D.
Rulemaking Coordinator

KFH/pkh

Enclosure: Statement of Need and Reasonableness

Minnesota Department of Education

STATEMENT OF NEED AND REASONABLENESS

Proposed Rules Governing English Language Arts Academic Standards, Minnesota Rules, Chapter 3501.0640.

INTRODUCTION

Defining Literacy and Understanding its Importance

For years education reformers have highlighted the value of literacy as the foundation upon which young learners build their future academic success.¹ Although literacy has been defined in various ways, its importance in contemporary society cannot be overemphasized. Students who lack strong literacy skills are at a serious disadvantage in many areas of life. Illiteracy significantly hinders academic achievement and also hampers the student's ability to fully participate and be effective in social settings, civil life, and the workplace.²

In basic terms, the concept of *literacy* refers to reading and often, writing. An impressive body of research underscores the significance of these two fundamental skills. Reading is often cited for its unique place of importance in education. Psychologist Margaret Kay maintains that there is no other skill taught in school that is more important than reading, referring to it as "the gateway to all other knowledge." She warns that if children fail to learn to read efficiently, "the path will be blocked to every subject they encounter in their school years."³ Students with strong reading skills also tend to enjoy reading more and will tend to read throughout their lives for pleasure and other purposes. A study completed in 2000 by the Organization for Economic Co-operation and Development (OECD) examined the factors that had the greatest impact on a person's financial stability. This research revealed that the enjoyment of reading (not just the ability to read, but the enjoyment of reading) was the single most influential factor in a person's future financial security.⁴

Along with reading skills (specifically reading comprehension), writing skills are a predictor of academic success and a basic requirement for participation in civic life and the global economy.⁵ History is replete with examples that, at its best, writing has even helped transform the world. Writing has started revolutions, toppled oppression, and enlightened the human condition. "American life is richer," writes the National Commission on Writing, "because people such as Rachel Carson, Cesar Chavez, Thomas Jefferson, and Martin Luther King, Jr. have given voice to the aspirations of the nation and people."⁶ Writing also sustains American life and popular culture. Advertising jingles, plays, hit records, instructional manuals and political campaigns all begin with writers and rest on writing. Although relatively few adults earn their living as full-time writers, many working Americans would not be able to hold their jobs if they were not excellent writers. Despite its importance, however, writing is referred to as "The Neglected 'R,'" given the inadequate time and attention paid to it in school. "Writing today," concludes the Commission, "is not a frill for the few but an essential skill for the many."⁷

1 *Reading and Writing in the Academic Content Areas*, Alliance for Excellent Education, Issue Brief (June, 2006), available at <http://www.all4ed.org/files/ReadingWritingAcadContent.pdf> (last visited May 19, 2011).

2 Biancarosa, C., & Snow, C.E., *Reading Next--A Vision for Action and Research in Middle and High School Literacy: A Report to Carnegie Corporation of New York*, 2nd ed.(2006), p. 1.

3 Excerpt from *Reading: The First Chapter in Education*, available at <http://www.margaretkay.com/Matthewpercent20Effect.htm>.

4 Brehaut, Andrew, *The Enjoyment of Reading and Its Impact on a Child's Success*, available at

<http://www.oecdrcseoul.org/article/the-enjoyment-of-reading-and-its-impact-on-a-childs-success>, (last visited May 16, 2011). This article references the OECD's Program for International Assessment (PISA), a study completed in 2000.

5 Graham, S. and Perin, D., *Writing Next: Effective Strategies to Improve Writing of Adolescents in Middle and High Schools-A Report to Carnegie Corporation of New York* (2007), p. 2.

6 The National Commission on Writing in America's Schools and Colleges, *The Neglected "R": The Need for a Writing Revolution*, College Entrance Examination Board, p. 10 (April 2003).

7 Report of the National Commission on Writing for America's Families, Schools, and Colleges, *Writing and School Reform, Including The Neglected "R,"* (May, 2006), available at: http://www.collegeboard.com/prod_downloads/writingcom/writing-school-reform-natl-comm-writing.pdf (last visited May 5, 2011), p. 3.

Research indicates that students in the 21st century will read and write more than at any other time in history. In this knowledge economy, students must be able to draw on strong literacy skills to cope with the flood of information that will confront them as adults. They will need strong literacy skills to be effective in their jobs, run their households, exercise the rights and responsibilities of citizenship, and manage their personal lives. Strong literacy skills, though, are needed for much more than meeting the everyday demands of academic, community and work life.

...[Students] will need literacy to feed their imaginations so they can create the world of the future. In a complex and sometimes even dangerous world, their ability to read [and write] will be crucial."⁸

In the complex, emerging world of the future, literacy will be defined as much more than the fundamental skills of reading and writing. Even today, literacy is often described as the foundation of knowledge acquisition and understanding. Used this way, literacy is closely linked with the capacity to learn and is defined by the ability to read, write, speak, listen, and think critically.⁹ Research shows that being literate is closely linked to students' ability to access power and negotiate the world around them. Young people need to develop strong literacy skills to communicate effectively, gain respect from peers and authority, participate in their communities in a meaningful way, and fully contribute to society. Building literacy, therefore, goes far beyond improving a child's ability to read and write. It speaks to the larger societal issues of access and equity. In our society, being literate opens doors, allowing one to access power, and in many cases, helps to level the playing field."¹⁰

Literacy provides a crucial foundation for meeting the challenges of college, the modern workforce, and life in a technological society. Students need the ability to gather, comprehend, evaluate, synthesize, and report on information and ideas, to conduct original research in order to answer questions or solve problems, and to analyze and create a high volume and extensive range of print and non-print texts in media forms old and new. In fact, the need to conduct research and to produce and consume media is embedded into every aspect of today's curriculum."¹¹ Thus, these skills expand the definition of literacy to include "the ability to access, analyze, evaluate and communicate messages in a variety of forms."¹²

It is important for students to excel in not just a few, but all aspects of literacy. For example, in the business world, people with good communication skills are more likely to get and to keep a job.¹³ According to Achieve, "success in the workplace, whatever the profession, is dependent on one's ability to listen attentively to colleagues or customers and to express ideas clearly and persuasively."¹⁴ Additionally, as methods of communication change over time, students must become comfortable dealing with information in a variety of ways. For instance, the viewing and visual representation of ideas is increasingly important to how people gather and share information. Therefore, teachers and students need to expand their appreciation of the power of print and nonprint texts."¹⁵

8 Moore, D. W., Bean, T. W., Birdyshaw, D., & Rycik, J. A., *Adolescent Literacy: A Position Statement for the Commission on Adolescent Literacy of the International Reading Association*, p. 99 (1999).

9 Alliance for Excellent Education, *Reading for the 21st Century: Adolescent Literacy Teaching and Learning Strategies*, (January, 2004), p. 1, available at http://www.all4ed.org/files/Reading_21stCentury.pdf (last visited May 5, 2011).

10 *Id.*

11 Council of Chief State School Officers (CCSSO) and the National Governors Association (NGA), *Common Core State Standards Initiative, Common Core State Standards for English Language Arts & Literacy in History/Social Studies, Science, and Technical Subjects*, p. 4 (2010).

12 Hobbs, Renee, *The Acquisition of Media Literacy Skills Among Australian Adolescents*, Media Literacy Online Project (citing Aufderheide, Patricia, *Media Literacy: From a Report of the National Leadership Conference on Media Literacy* (1997), in Robert Kubey (Ed.) *Media Literacy in the Information Age*, New York, Transaction Press (2005)), available at http://jcp.proscenia.net/publications/articles_mlr/hobbs/australia.html (last visited May 1, 2011). Found also in J. Flood, S.B. Heath, & D. Lapp (Eds.), *Handbook of research on teaching literacy through the communicative and visual arts* (1997), pp. 7-14.

13 Brinkley, E. & Harper, N., *The College Board English Language Arts Framework*, The College Board (November 14, 2007) (citing Mann, L., *Education Update*, 1999) available at: http://www.collegeboard.com/prod_downloads/about/association/academic/EnglishFramework.pdf (last visited May, 11, 2011).

14 American Diploma Project Report, *English Benchmarks* (2004), available at <http://www.achieve.org/node/174> (last visited May 5, 2011).

15 National Council of Teachers of English (NCTE) Position Statement, *NCTC Statement on Visual Literacy" On Viewing and Visually Representing as Forms of Literacy*, (November, 1996) available at <http://www.ncte.org/positions/statements/visualformofliteracy> (last visited May 5, 2011).

Evidence of a Literacy Crisis

There is substantial evidence of a crisis in this country across all aspects of literacy, including, reading, speaking, and writing.¹⁶ In the United States “approximately eight million students between fourth and twelfth grade struggle to read at grade level. About 70 percent of older readers require some form of reading remediation.”¹⁷ The literacy crisis may be caused, in part, by the gap that exists between the K-12 texts that students read and the “real-world” demands for reading skills:

[Although] reading demands in college, workforce training programs, and life in general have held steady or increased over the last half century, K–12 texts have actually *declined* in sophistication, and relatively little attention has been paid to students’ ability to read complex texts independently. These conditions have left a serious gap between many high school seniors’ reading ability and the reading requirements they will face after graduation.”¹⁸

The ability to read complex texts, especially informational texts, independently and proficiently is essential for high achievement in college and the workplace and important in numerous life tasks.

Current trends suggest that if students cannot read challenging texts with understanding—if they have not developed the skill, concentration, and stamina to read such texts—they will read less in general. In particular, if students cannot read complex expository text to gain information, they will likely turn to text-free or text-light sources, such as video, podcasts, and tweets. These sources, while not without value, cannot capture the nuance, subtlety, depth, or breadth of ideas developed through complex text.”¹⁹

According to the National Governors Association and the Council of Chief State School Officers, evidence shows that current standards, curriculum and instruction have failed to foster the independent reading of complex texts so crucial for college and career readiness. This is particularly true for informational texts. K–12 students, in general, are given...

“...considerable...assistance from teachers, class discussions, and the texts themselves (in such forms as summaries, glossaries, and other text features)—with reading that is already less complex overall than that typically required of students prior to 1962.”

Most students today are asked to read very little informational text. As little as 7 percent and 15 percent of elementary and middle school instructional reading, for example, is expository, yet research supports the conclusion that such text is harder for most students to read than is narrative text. Research further indicates that students need sustained exposure to expository text to develop important reading strategies and that expository text makes up the vast majority of the required reading in college and the workplace.”²⁰

Americans have deficits in other kinds of literacy skills, as well. In a study cited by the National Communication Association, 95 percent of respondents reported “some degree of anxiety about communicating with a person or in groups.”²¹ Furthermore, when 3000 corporate

16 Biancarosa & Snow, *supra* note 2 at p. 3.

17 *Id.*

18 Council of Chief State School Officers (CCSSO) and the National Governors Association (NGA), Common Core State Standards Initiative, Common Core State Standards for English Language Arts & Literacy in History/Social Studies, Science, and Technical Subjects, Appendix A, p. 2 (2010).

19 Council of Chief State School Officers (CCSSO) and the National Governors Association (NGA), Common Core State Standards Initiative, Common Core State Standards for English Language Arts & Literacy in History/Social Studies, Science, and Technical Subjects, Appendix A, p. 4 (2010).

20 *Id.* at 3.

21 Brinkley, E. & Harper, N., *The College Board English Language Arts Framework*, The College Board (November 14, 2007) (citing Richmond & McCroskey, *Communications: Apprehension, Avoidance and Effectiveness*, In National Communication Association, *Speaking Listening, and Media Literacy-Standards for K-12 Education* (1995), available at:

http://www.collegeboard.com/prod_downloads/about/association/academic/EnglishFramework.pdf (last visited May, 11, 2011).

managers were asked about what they feared most, 41 percent answered “speaking in front of a group.”²²

Another documented area of deficiency is writing. High school graduates who have difficulty with writing cannot meet the demands of college. A recent study by ACT revealed that about a third of high school students intending to enter higher education do not meet readiness benchmarks for college-level English composition courses (among certain ethnic groups, 50 percent or more of adolescents do not meet ACT benchmarks). This makes it unlikely that they will earn a grade of C or better in this basic first-year course (a core requirement in most undergraduate programs).²³ In the K-12 classroom, “very few teachers require more than a few hours of writing per week, and two-thirds of students say their weekly writing assignments add up to less than an hour. Nine percent of high school students report doing almost no writing at all. When writing does occur, it is cursory, such as when students compose a sentence or two. Forty percent of 8th graders and only 30 percent of 12th graders report writing essays requiring analysis or interpretation at most a few times a year.”²⁴ Lastly, according to an Achieve, Inc. 2005 survey, 35 percent of high school graduates in college and 38 percent of high school graduates in the workforce feel their writing does not meet expectations for quality. This same survey found that college instructors estimate that half of all high school graduates are not prepared for college-level writing.²⁵

The fiscal impacts of the national literacy crisis are staggering. The National Reading Panel Report found that the cost to taxpayers of adult illiteracy is \$224 billion per year and that U.S. companies lose nearly \$40 billion annually because of illiteracy.²⁶ Fixing writing deficiencies on the job costs American corporations nearly \$3.1 billion.²⁷ Biancarosa and Snow conclude that the “emotional, social and public health costs of academic failure ... and the consequences of the national literary crisis are too serious and far-reaching for us to ignore.”²⁸

The national literacy crisis is reflected in Minnesota by the continuing lack of some student subpopulations to achieve the literacy skills needed for college. The sub-performance of these students is often masked by the fact that overall, Minnesota outperforms the rest of the nation. For example, Minnesota’s class of 2010 had the highest ACT average composite score (English, mathematics, reading and science) among the states where 50 percent or more students take the ACT.²⁹ However, while 84 percent of white students tested in Minnesota met the ACT College Readiness Benchmark scores in English Composition, only 37 percent of the state’s African American students were deemed “college ready.” In Reading, 69 percent of the tested white students met the benchmark scores, while only 27 percent of African American students did.³⁰ Some may conclude that the poor performance of African American students, and other student subpopulations, is due to their failure to take “college prep” kinds of courses. Indeed, students who take ACT’s recommended “Core” curriculum (four or more years of English and three or more years each of math, social studies, and natural science) tend to score significantly higher on the ACT test. Yet, Minnesota Hispanic and African American students who took the core curriculum actually scored *lower* on the ACT than their white counterparts *who did not even take the core curriculum*.³¹

22 Brinkley, E. & Harper, N., *The College Board English Language Arts Framework*, The College Board (November 14, 2007) (citing Wiliford, J.D., *You Gotta BE the Book: Teaching Engaged and Reflective Reading With Adolescents* (March, 8, 2002)), available at: http://www.collegeboard.com/prod_downloads/about/association/academic/EnglishFramework.pdf (last visited May, 11, 2011).

23 Graham & Perin, *supra* note 5, at p. 9.

24 Alliance for Excellent Education, *Making Writing Instruction a Priority in American's Middle and High Schools-A Policy Brief*, (2007), p. 3, available at: <http://www.all4ed.org/files/WritPrior.pdf> (last visited May 5, 2011) (citing Applebee, A., & Langer, J., *The State of Writing Instruction in America's Schools: What Existing Data Tell Us*, Center for English Learning & Achievement (CELA) (2006)).

25 Graham & Perin, *supra* note 5 at p. 7.

26 A Report of the National Reading Panel, *Teaching Children to Read: An Evidence-Based Assessment of the Scientific Research Literature on Reading and its Implications for Reading Instruction*, Reports of the Subgroups, National Reading Excellence Initiative-National Institute for Literacy (December 2000), available at: <http://www.nationalreadingpanel.org/Publications/subgroups.htm> (last visited May 5, 2011).

27 Report of the National Commission on Writing for America's Families, Schools, and Colleges, *Writing: A Ticket to Work... Or a Ticket Out: A Survey of Business Leaders* The National Commission on Writing (2004) p. 4, available at: http://www.collegeboard.com/prod_downloads/writingcom/writing-ticket-to-work.pdf (last visited May 5, 2011).

28 Biancarosa & Snow, *supra* note 2, at p. 3.

29 ACT, Inc., ACT Midwest Region – Chicago Office, *ACT Average Composite Scores for States Testing 50percent or More*, 2010 ACT-Tested Graduates (table) (August 2010).

30 ACT, Inc., ACT Midwest Region – Chicago Office, *The Condition of College & Career Readiness, Class of 2010—Minnesota*, (August 2010), p. 8-9.

31 ACT, Inc., *ACT Average Composite Score*, as reported in *ACT Profile Report, Graduating Class of 2010—Minnesota* ACT Midwest Region – Chicago Office, p. 14 (August 2010).

One explanation for the poor performance of students of color who complete their school's "college prep" curriculum may be that their schools failed to offer them the same kinds of rigorous learning opportunities experienced by their white classmates. It is possible that these students may be taking college prep courses in name only, with opportunities provided to learn some, but not all, of the knowledge and skills that are typically covered in a college prep curriculum. Another explanation is that although the courses may cover all of the typical college prep content, a number of teachers may be holding some students to a lower performance benchmark. One or both explanations may be true, but in either case, inequities such as these tend to lessen when schools structure their curriculum around clear and rigorous academic standards.³²

The literacy crisis impacts students at institutions of higher education as well. Within two years of high school graduation, 53 percent of the class of 2008 enrolled in a Minnesota public higher education institution. However, of those public higher education students, 17 percent took a developmental or remedial writing course. 15 percent of these students took a developmental reading course.³³

Literacy and College and Career Readiness

Literacy is a gateway to achievement and opportunity. On average, college graduates earn 70 percent more than their high school graduate counterparts, while high school dropouts are four times more likely than college graduates to be unemployed.³⁴ Thus, it is reasonable to conclude that literacy is closely linked to college and career readiness and professional success. In the near future, all students will need at least some college or postsecondary training in order to be prepared for the highly skilled workplace. The Alliance for Excellent Education reports that most jobs today demand strong cognitive abilities and problem solving skills:

Today's workers must cope with [a] myriad [of] evolving technologies and make on-the-spot decisions that would have bewildered previous generations. As a result, it is all the more imperative that students attain a higher level of education.³⁵

The impact of low reading achievement on students' readiness for college, careers, and life in general is significant. As stated by the National Governors Association and the Council of Chief State School Officers, "a high school graduate who is a poor reader is a postsecondary student who must struggle mightily to succeed." The National Center for Education Statistics reports that although needing to take one or more remedial/developmental courses of any sort lowers a student's chance of eventually earning a degree or certificate, "the need for remedial reading appears to be the most serious barrier to degree completion."³⁶ Only 30 percent of 1992 high school seniors who went on to enroll in postsecondary education between 1992 and 2000 that took a postsecondary remedial reading course went on to receive a degree or certificate, compared to 69 percent of the 1992 seniors who took no postsecondary remedial courses. Considering that 11 percent of those high school seniors required at least one remedial reading course, the societal impact of low reading achievement is as profound as its impact on the aspirations of individual students.³⁷

In addition to the considerable impact on students and society, the literacy crisis has profound implications for the national economy. According to one estimate, if the literacy levels of U.S. workers were the same as those in Sweden... (where the percentage of workers at the lowest literacy level is a third of the U.S. percentage), our gross domestic product would rise by an astounding \$463 billion.³⁸

32 Pattison, C., and Berkas, N., *Critical Issue: Integrating Standards into the Curriculum* (2000), available at:

<http://www.ncrel.org/sdrs/areas/issues/content/curriculum/cu300.htm> (Last visited May 5, 2011).

33 Minnesota State Colleges and Universities (MNSCU) and the University of Minnesota, *Getting Prepared: A 2010 Report on Recent High School Graduates Who Took Developmental/Remedial Courses, State Level Summary and High School Summer* (January, 2011), p. iii, available at:

<http://www.mnscu.edu/media/publications/pdf/gettingprepared10.pdf> (last visited May 5, 2011).

34 National Governors Association Center for Best Practices, *Reading to Achieve: A Governors Guide to Adolescent Literacy* (2005), p. 4, available at:

http://www.all4ed.org/publication_material/research/achieve_govguide_adlit (last visited May 5, 2011).

35 Jofus, Scott, Ed.D., *Every Child a Graduate: A Framework for an Excellent Education for all Middle and High School Students* (September, 2002), p. 8, available at: <http://www.all4ed.org/files/archive/publications/EveryChildAGraduate/every.pdf> (last visited May 5, 2011).

36 Wirt, J., Choy, S., Rooney, P., Provasnik, S., Sen A., & Tobin, R., *The Condition of Education 2004* (NCES 2004-077), U.S. Department of Education, National Center for Education Statistics (June, 2004), p. vii and 63, available at: <http://nces.ed.gov/pubs2004/2004077.pdf> (last visited May 6, 2011).

37 Wirt, J., Choy, S., Rooney, P., Provasnik, S., Sen A., & Tobin, R., *The Condition of Education 2004* (NCES 2004-077), U.S. Department of Education, National Center for Education Statistics (June, 2004), p. vii and 63, available at: <http://nces.ed.gov/pubs2004/2004077.pdf> (last visited May 6, 2011).

38 Jofus, *supra* note 35 at pp. 8, 15, and 31.

Students who achieve the literacy skills required for college and careers will need more than excellent instruction in the primary grades. They will need to continue developing their reading skills throughout their K-12 education. As reading develops over time, texts get longer, vocabulary gets more sophisticated, and concepts overlap between disciplines. Research indicates that students who receive concentrated focused support in literacy graduate from high school and attend college in greater numbers. An important first step in providing this support is to align the education system of K-12 standards, curriculum, instruction and assessment with the academic demands of college and the modern workplace.

Role of standards in high quality language arts education for all students

The foundation of a quality English language arts (ELA) education is rigorous academic standards. States across the nation are developing, implementing, measuring and revising K-12 academic standards. They are building the foundation to educational improvement—an approach that focuses instruction on the most important knowledge and skills of the discipline. Once these learning targets are established and understood, educators can effectively plan instruction and other educational supports to help their students. A standards-based system has implications not only for instruction, but accountability, as well. It shifts the traditional accountability focus from education *inputs* such as number of school days or credit hours to student achievement of the standards. A system that is “standards-based,” therefore, shines a spotlight on the results or *outcomes* of student learning.

The purpose of standards-based education is improved student achievement. Minnesota’s proposed ELA standards set minimum expectations for all learners throughout the state while allowing local school districts the flexibility to determine the curriculum, instructional methods, assessment tools and learning environments that will best help their students achieve those standards. The first step, then, in a standards-based education system is the development of academic standards. Standards define the learning targets. The standards identify the most important knowledge and skills of the content area without specifying particular curriculum or instruction. Put another way, the standards identify *what* must be taught, rather than *how* it must be taught.³⁹

More specifically, standards are broad statements of the knowledge and skills that students need to master in order to be considered proficient in a content area. The state’s current language arts academic standards were established in 2003 after several years of standards-based reform initiatives at the state and federal levels. The proposed revisions refine the state’s language arts academic standards to better target the most important literacy knowledge and skills.

Minnesota’s 2010 Academic Standards for English Language Arts K-12 provide the basis for defining literacy education in Minnesota. In June 2010, Minnesota adopted the Common Core State Standards in English Language Arts in their entirety and added additional content to reflect statutory requirements and recommendations from stakeholders across the state. The Common Core Standards “lay out a vision of what it means to be a literate person in the twenty-first century.”⁴⁰ Students advancing through the grades are expected to meet each year’s grade-specific benchmarks, retain or further develop skills and understandings mastered in preceding grades, and work steadily toward meeting the general expectations for college and career readiness. Grade level benchmarks are the minimum expectations for all learners. One of the key elements of the Common Core State Standards and thus the 2010 Minnesota Academic Standards for English Language Arts, is a desire for all students to be able to comprehend and produce texts of steadily increasing complexity as they progress through school. By the time students complete high school, they must be able to read, comprehend, and produce complex texts commonly found in the workplace.

As students advance through the grades and master the standards in reading, writing, speaking, viewing, listening, media literacy, and language, they will exhibit with increasing fullness and regularity these capacities of the literate individual:

- They demonstrate independence.
- They build strong content knowledge.
- They respond to the varying demands of audience, task, purpose, and discipline.
- They comprehend as well as critique.

³⁹ This is also in accordance with Minn. Stat. § 120B.02.

⁴⁰ Common Core State Standards Initiative document, *supra* note 11 at p. 3.

- They value evidence.
- They use technology and digital media strategically and capably.
- They come to understand other perspectives and cultures.⁴¹

Minnesota's history with standards-based initiatives and English language arts legislation

Minnesota's history with standards-based initiatives spans more than a decade. Public schools implemented state academic standards for the first time in 1997 when they were required to implement the state-mandated Profile of Learning. The development of the Profile standards was spurred, in part, by the Elementary and Secondary Education Act (ESEA) re-authorization that occurred in 1994. The ESEA re-authorization required the establishment of statewide academic standards in core content areas.

In 2003, the Minnesota Legislature repealed and replaced the Profile of Learning with required state academic standards in mathematics, language arts, science and social studies; required state or locally developed academic standards in the arts; and locally developed standards in vocational and technical education and world languages.⁴² The legislature required these new academic standards in order to maintain Minnesota's commitment to rigorous educational expectations for all students, as well as to comply with the re-authorization of the ESEA, now widely known as the No Child Left Behind Act of 2001 (Pub. L. 10-110).⁴³ In 2010, legislators added physical education to the list of subjects with required state standards.

Legislation passed in 2006 requires that Minnesota's academic standards be revised to reflect an increased level of rigor that prepares students with the knowledge and skills needed for success in college and the skilled workplace. This legislation also establishes a timetable and requirements for revising state academic standards in each subject and directs the Minnesota Department of Education to revise these state academic standards.⁴⁴

The English language arts standards were scheduled to be revised during the 2009-2010 school year, with all schools implementing and all students satisfactorily completing the revised standards by the 2012-2013 school year.⁴⁵ The revised standards in each required subject area must include—

- Technology and information literacy standards;
- College and work-readiness skills and knowledge;⁴⁶ and
- The contributions of Minnesota American Indian tribes and communities as they relate to the standards.⁴⁷

In addition to legislated initiatives, Minnesota's system of standards-based education has been influenced by several other kinds of in-state and multi-state initiatives. In 2006, Minnesota joined the American Diploma Project (ADP) sponsored by Achieve. A chief goal was to ensure college- and career-readiness for all students through a system of standards and assessments aligned with the knowledge and skills required for success after high school. To this end, the state sent a team of K-12 educators, postsecondary educators, curriculum directors, MDE standards and assessment staff, and business representatives to a series of three ADP Alignment Institutes. Minnesota's participants learned how to design a standards process that results in the development of rigorous K-12 standards in ELA and mathematics and garners the trust of educators and the public. They examined reports about the kinds of knowledge and skills that are needed for success in college and careers, and developed a plan for revising the state's 2003 ELA and mathematics standards.

Following that, the Minnesota P-16 Education Partnership⁴⁸ convened the College and Work Readiness Working Group to craft college and work readiness standards in ELA and math. The group was comprised of K-12 and postsecondary instructors in each discipline and included

41 Common Core State Standards Initiative document, *supra* note 11 at p. 7.

42 2003 Minnesota Laws, chapter 129, article 1, section 3.

43 Pub. L. 107-110 (2001) Jan. 8, 2002 (No Child Left Behind Act of 2001), 115 STAT. 1445.

44 Minn. Stat. § 120B.023, Subd. 2.

45 *Id.*

46 *Id.*

47 Minn. Stat. § 120B.021, Subd. 1.

members of the state's ADP team. The ELA standards, known formally as the *Minnesota College and Work Readiness Expectations-Language Arts*, were endorsed by Achieve and were included in the ELA standards revision scheduled for 2010-2011—the same time period in which the Common Core State Standards Initiative was announced.

Led by the National Governors Association and the Council of Chief State School Officers, the Common Core initiative promised to create K-12 standards that were: 1) research and evidence based; 2) aligned with college and work expectations; 3) rigorous; and 4) internationally benchmarked. Minnesota actively participated in the development of the Common Core State Standards for English Language Arts & Literacy in History/Social Studies, Science, and Technical Subjects. Beginning with the draft College and Career Readiness (CCR) Standards in the summer of 2009, the Minnesota Department of Education convened a series of educator focus groups. The groups provided detailed feedback on the CCR standards and each successive draft of the grade specific K-12 Standards until they were completed in June 2010. Many of the suggestions provided by Minnesota educators were incorporated into the Common Core standards. Overall, there is strong alignment between the Common Core and Minnesota's K-12 Academic Standards in Language Arts (2003) and the *Minnesota College and Work Readiness Expectations-Language Arts* (2008).

During the summer of 2010, Minnesota's Standards Committee revised the state's 2003 language arts standards, as required by law (Minn. Stat. § 120B.023, subd. 2). Given the strong alignment between the Common Core and Minnesota documents, the state decided, as part of the revision, to adopt the Common Core standards as a basis for the Minnesota Academic Standards—English Language Arts K-12. States that choose the Common Core are required to adopt 100 percent of the Common Core K-12 standards (word for word), with the option of adding up to 15 percent additional content. Minnesota's Standards Committee analyzed the Common Core standards and identified additional knowledge and skills in order to address particular legislative requirements and better reflect research and evidence-based best practices in English Language Arts. The resulting document is the *2010 Minnesota Academic Standards English Language Arts K-12*. Students must satisfactorily complete these standards beginning in the 2012-2013 school year.

The Common Core standards are built on the foundation laid by states in their decades-long work on crafting standards. Minnesota, in turn, built on the work of the Common Core standards by adding critical knowledge and skills deemed important for higher education and work in the twenty-first century global economy. Given this strong foundation of standards, Minnesota students will be well-equipped with the literacy skills needed for success in college, careers and active participation in civic life.

ALTERNATIVE FORMAT

Upon request, this information can be made available in an alternative format, such as large print, Braille, or audio. To make a request, contact Kerstin Forsythe Hahn at the Minnesota Department of Education, 1500 Highway 36 West, Roseville MN 55113, Phone: 651-582-8583; Fax: 651-582-8725; and e-mail: Kerstin.forsythe@state.mn.us. TTY users may call the Department of Education at 651-582-8201.

STATUTORY AUTHORITY

The department has general rulemaking authority to adopt English Language Arts academic standards under Minnesota Statutes, section 120B.02.

Under these statutes, the department has the necessary statutory authority to adopt the proposed rules.

48 The name of the partnership has since changed to the Minnesota P-20 Education Partnership.

REGULATORY ANALYSIS

Minnesota Statutes, section 14.131, sets out seven factors for a regulatory analysis that must be included in the SONAR. Paragraphs (1) through (7) quote these factors followed by the agency's response.

- (1) **A description of the classes of persons who probably will be affected by the proposed rule, including classes that will bear the costs of the proposed rule and classes that will benefit from the proposed rules.**

The following classes of persons are affected by the proposed rules: Minnesota parents and students; Minnesota school districts, including charter schools; English language arts educators and teachers implementing the English Language Arts literacy standards in their discipline; and curriculum directors. The department does not believe that there will be significant costs associated with the proposed rules, as discussed elsewhere in this SONAR; however, if there are any minimal costs they are likely to be borne by the department and by Minnesota school districts and Minnesota charter schools. The classes that will benefit from the proposed rules include Minnesota students who will achieve greater levels of literacy preparing them for college and the high skilled workplace.

- (2) **The probable costs to the agency and to any other agency of the implementation and enforcement of the proposed rule and any anticipated effect on state revenues.**

The proposed rules will create, at most, minimal costs for the department through the 2012-13 school year. The department is already staffed to provide training and support regarding the proposed rules and staff assignments and resources will be reallocated according within the agency. There will be no anticipated effect on revenue.

Other state agencies are not fiscally impacted by these proposed rules.

- (3) **A determination of whether there are less costly methods or less intrusive methods for achieving the purpose of the proposed rule.**

Because establishing state standards in English language arts is a legislative requirement, there is no less costly or less intrusive method for achieving the purpose of the proposed rules. Because the ELA standards reflect all of the common core state standards, we will likely be able to improve cost savings in the future, across classroom resources and tools and assessments. Currently 44 states have adopted the common core standards.

- (4) **A description of any alternative methods for achieving the purpose of the proposed rule that were seriously considered by the agency and the reasons why they were rejected in favor of the proposed rule.**

Because rules containing state academic standards in English language arts are a legislative requirement, there is no alternative method for achieving the purpose of the proposed rule.

- (5) **The probable costs of complying with the proposed rule, including the portion of the total costs that will be borne by identifiable categories of affected parties, such as separate classes of governmental units, businesses, or individuals.**

School districts may face initial increased costs to implement the new rules. However, districts currently must implement English language arts standards in grades K-12. In addition, school districts typically undertake a six- or seven-year curriculum adoption cycle, so many of these costs would be borne regardless of the adoption into rule of statewide English language arts academic standards.

- (6) **The probable costs or consequences of not adopting the proposed rule, including those costs or consequences borne by identifiable categories of affected parties, such as separate classes of government units, businesses, or individuals.**

If the state does not adopt academic English Language Arts standards, it risks the loss of federal funding. Section 1111(g)(1) of the

No Child Left Behind Act, Pub. L. 107-110, states that for failure to meet deadlines enacted in 1994, in general:

If a State fails to meet the deadlines established by the Improving America's Schools Act of 1994 (or under any waiver granted by the Secretary or under any compliance agreement with the Secretary) for demonstrating that the State has in place challenging academic content standards and student achievement standards, and a system for measuring and monitoring adequate yearly progress, the Secretary shall withhold 25 percent of the funds that would otherwise be available to the State for State administration and activities under this part in each year until the Secretary determines that the State meets those requirements.

Furthermore, section 1111(g)(2), states that for failure to meet the requirements enacted in 2001, "the Secretary may withhold funds for State administration under this part until the Secretary determines that the State has fulfilled those requirements.

- (7) **An assessment of any differences between the proposed rule and existing federal regulations and a specific analysis of the need for and reasonableness of each difference.**

The *No Child Left Behind Act* requires states to have academic standards in mathematics, reading or language arts, and science. *No Child Left Behind Act of 2001*, Pub. L. 107-110, section 1111(b)(1)(C) (2001), codified at 20 U.S.C. § 6311(b)(1)(C). In addition, the *No Child Left Behind Act's* definition of core academic subjects includes English, reading or language arts. *No Child Left Behind Act*, Pub. L. 107-110, section 9101(11), (codified at 20 U.S.C. § 7801(11)). Thus, by adopting into rule the state's English language arts academic standards, the rules will be consistent with existing federal requirements.

PERFORMANCE-BASED RULES

Throughout the development of the proposed rules and this SONAR, the department made every attempt to develop rules that will be understandable to and workable for practitioners and families, ensuring efficient and effective delivery of services while achieving the best possible results for students.

ADDITIONAL NOTICE

Minnesota Statutes, sections 14.131 and 14.23, require that the SONAR contain a description of the department's efforts to provide additional notice to persons who may be affected by the proposed amendments to the rules.

In addition to mailing the proposed rules and the dual notice to all persons who have registered to be on the department's rulemaking mailing list under Minnesota Statutes, section 14.14, subd. 1a, the Additional Notice Plan calls for notifying the following groups:

- English Language Arts Standards Revision Committee members;
- Minnesota Science Teachers Association;
- SciMathMN;
- Minnesota Academy of Science;
- Minnesota High Technology Association;
- Minnesota P-20 Education Partnership membership organizations;
- Metro Education Service Cooperative Unit (ESCU) Science Leadership Network;
- Minnesota Association for Supervision and Curriculum Development (Minn. ASCD);
- Minnesota Association for Environmental Education;
- Environmental Education Advisory Task Force;
- Minnesota Reading Association;
- Minnesota Literacy Educators Collaborative;

- Minnesota Academy of Reading;
- Minnesota Reading Licensure Coalition;
- Minnesota Council of Teachers of English;
- Minnesota Writing Project;
- Perpich Center for Arts Education;
- Minnesota Council of Economic Education;
- Minnesota Historical Society;
- Minnesota Council for Social Studies and Council for Social Studies Education;
- Minnesota Alliance for Education;
- Minnesota Science Teachers Association;
- Minnesota Science Museum-Nexus Program;
- Minnesota Technology Education Association;
- Minnesota Association for Secondary School Principals;
- Curriculum Leaders of Minnesota;
- Education Minnesota;
- Minnesota Association for School Administrators;
- Minnesota School Boards Association;
- Minnesota Elementary School Principals Association;
- Minnesota Parent Teacher Association;
- Minnesota Administrators of Special Education;
- Minnesota Association of Charter Schools;
- MinneTESOL-Minnesota Teachers of English to Speakers of Other Languages;
- Minnesota Early Learning Foundations Board;
- Education organizations;
- Parent and student advocacy organizations;
- Attorney lists maintained by the agency;
- Minnesota superintendents listerv, via the agency's weekly superintendent's informational email;
- Charter school directors via email lists maintained by the agency;
- School Improvement listerv;
- Minnesota Association of Colleges of Teacher Education;
- Head Start;
- Literacy Initiative;
- Metropolitan Library Serve Agenda (MELSA);
- LDA Minnesota;
- Critical Literacy Project;
- Minnesota Educational Media Organization (MEMO);
- Minnesota Humanities Commission;
- Minnesota Literacy Council;
- Minnesota Library Association;
- Minnesota Reading Corps;
- Minnesota Reading Recovery Teachers;
- Minnesota Staff Development Council;
- Other divisions within MDE;
- Other interested parties; and
- Posting on the agency's Website.

Finally, the department will notify the Minnesota Legislature. This will include sending the proposed rules, SONAR and Dual Notice to the chairs and ranking minority members of the legislative policy and budget committees with jurisdiction over the subject matter.

CONSULT WITH FINANCE ON LOCAL GOVERNMENT IMPACT

As required by Minnesota Statutes 14.131, the department has consulted with the Commissioner of Management and Budget. On May 26, 2011, prior to the department publishing the Notice of Intent to Adopt, the documents that were sent to the Governors office for review and approval were also sent to the Commissioner of Management and Budget. The documents included the Governors Office Proposed Rule and SONAR Form; final proposed rules; and Statement of Need and Reasonableness. In a June 6, 2011, memorandum, the Office of Management and Budget stated that the proposed rules will not impose a significant cost on local governments.

COST OF COMPLYING FOR SMALL BUSINESS OR CITY

As required by Minnesota Statutes, section 14.127, the department has considered whether the cost of complying with the proposed rules in the first year after the rules take effect will exceed \$25,000 for any small business or small city. The department has determined that the cost of complying with the proposed rules in the first year after the rules take effect will not exceed \$25,000 for any small business or small city.

This determination was made because the proposed rules do not affect small businesses and small cities.

LOCAL GOVERNMENT ACTION

Pursuant to Minnesota Statutes, section 14.128, the department must determine if a local government will be required to adopt or amend an ordinance or other regulation to comply with a proposed agency rule. Local government means a town, county or home rule charter or statutory city.⁴⁹ The department has determined that no local government will be required to adopt or amend an ordinance or other regulation in order to comply with these proposed rules.

This determination was made because the proposed rules do not affect any of the local governments included in the scope of Minnesota Statutes, section 14.128.

LIST OF WITNESSES

If these rules go to a public hearing, the department anticipates having the following witnesses testify in support of the need for and reasonableness of the rules:

1. Dr. Beth Aune, Director of Academic Standards and P-20 Initiatives, Department of Education, will testify about the need for the proposed English language arts academic standards.
2. Kari Ross, Instructional Specialist in Reading, Department of Education, will testify about the development of the proposed standards.
3. Charon Tierney, English Language Arts Specialist, Department of Education, will testify about the development of the proposed standards.

49 Minn. Stat. § 14.128, Subd. 1

RULE-BY-RULE ANALYSIS

Role of the Common Core State Standards in the ELA Revision Process

The English Language Arts standards review process was unique to other Minnesota standards reviews in that the timing of the review and revision coincided with the development of the Common Core State Standards initiative. In 2009 the National Governors Association (NGA) and the Council of Chief State School Officers developed a set of Common Core State Standards and released the standards for public input. The standards were a move toward defining the knowledge and skills needed for college and career readiness in English Language Arts and Mathematics. The initiative was also aimed at developing a set of standards that states could adopt in an effort to hold all students, regardless of their state of residence to the same standards.

Minnesota actively participated in the development of the Common Core State Standards. The Minnesota Department of Education was asked to be one of three state departments of education to provide feedback to the National Governors Association (NGA) and the Council of Chief State School Officers (CCSSO) standards team. With each draft of the Common Core Standards, Minnesota convened focus groups to provide feedback on the draft standards. These focus groups included, among others, MDE staff, K-12 teachers, district representatives, post-secondary educators and parents. MDE convened its focus group five times over the 2009-2010 school year to provide feedback to the Common Core State Standards writers on subsequent drafts. The Common Core writing team came to Minnesota to meet with the feedback team during the fall of 2009. There were also numerous conference calls and written communications between the MDE feedback group, MDE Content Specialists, the MDE Academic Standards Director, and former MDE Assistant Commissioner, Karen Klinzing.

The feedback provided by the Minnesota focus groups to the Common Core State Standards writers addressed deficiencies Minnesota representatives saw in the Common Core standards and benchmarks, as well as support for common core standards that addressed concepts and skills identified as essential to English language arts education in Minnesota. Some of the deficiencies in the draft common core standards identified by the Minnesota focus group included inconsistent grain size and benchmark progressions that did not change from grade to grade. The focus group also noted that the speaking and listening standards in the draft Common Core State Standards were underdeveloped. These issues were addressed and remedied in the final common core standards draft. Overall, the feedback provided to the common core state standards writers from the Minnesota feedback group was generally reflected in each of the subsequent drafts. When the final draft was sent to MDE in May, the feedback team supported Minnesota's adoption of the Common Core State Standards as a basis for the soon to be drafted 2010 English Language Arts Standards. As soon as Minnesota decided to adopt the Common Core State Standards, MDE began the revision of the Minnesota state ELA standards.

The English Language Arts Standards Revision Process

In late May, 2010, MDE convened an English Language Arts Review Committee (the committee) to identify additions to the Common Core Standards that were reflective of Minnesota statutes and best practice in the field. Combined, the Minnesota specific additions and the Common Core Standards comprise the proposed Minnesota rules governing English language arts academic standards in grades K -12. Applications for the committee were submitted online and the commissioner selected 27 applicants and two co-chairs were named. This committee consisted of K-12 English language arts teachers, post-secondary reading and writing and other English language arts instructors, business and community representatives and parents. In addition to knowledge of English language arts content and pedagogy spanning the K-12 grade levels, members brought to the committee expertise that included teaching students with special needs, English language learners, low-income students and urban and rural students. Parents and business representatives were also represented on the committee.⁵⁰ Higher education faculty on the committee included faculty who teach freshman level students and English courses.

The committee began the standards revision process by examining the 2003 Minnesota Language Arts Standards and the 2008 Minnesota College and Work Readiness Expectations, identifying the essential knowledge and skills that should be preserved in the new 2010 English Language Arts Standards. That process was followed by the committee analyzing to what degree these knowledge and skills are represented in the English Language Arts Common Core State Standards. The committee also examined the recommendations made in May 2010 by the

⁵⁰ See Attachment A to this SONAR for a list of members of the English Language Arts Standards Revision Committee.

Minnesota Common Core Focus Group; public feedback and expert reviewers.

The full committee met from June 14, 2010, through August 16, 2010. Several members of the committee served on the Technical Writing Team. The Technical Writing Team, a subset of the committee, was charged with the writing of initial drafts of the revised standards. The Technical Writing Team met in between meetings of the full committee and revised the draft standards and benchmarks according to direction provided by the full committee. The full committee met four times to review feedback and provide direction to the Technical Writing Team.

After the drafting of the standards and the benchmarks was completed, the committee regrouped into grade band groups of K-5, 6-8 and 9-12. Each group worked to ensure the following for its assigned band of grades: 1) a consistent level of rigor between the strands, 2) developmental appropriateness of the concepts and skills within each strand and 3) a smooth learning progression or sequence of concepts from one grade level to the next. Some standards and benchmark language was added during this stage; for example, if certain grades were overloaded with concepts in multiple strands, language was added to provide a balance across grades and strands. In addition, some of the content area benchmarks that originally were drafted to be achieved over a span of several grades were consolidated into a single grade. This change was especially true in the additions related to the contribution of Minnesota American Indian tribes and communities. The subcommittees decided to include this addition at each grade level, with more focus at grades four and seven. This change was based on feedback from classroom teachers who pointed out that resources were not available in most districts to incorporate the literature of Minnesota Indian authors at each grade level. The change allows teachers greater flexibility to organize their units in response to local curriculum needs, student interests and abilities, availability of instructional materials and teacher preferences.

Obtaining Feedback on the Draft English Language Arts Standards

The department gathered information from a variety of sources during the standards drafting process, including feedback from the public, recommendations from experts, national foundational documents and standards from other states. The department invited the public to submit suggestions for revising the standards through an online process that was completed prior to the first meeting of the committee. The feedback was collected, sorted into categories of like suggestions, and submitted to the committee for consideration. The committee relied on significant research in English language arts education throughout its standards development process, including the 2011 National Assessment of Educational Progress (NAEP) Panel Report, 2007 Reading Next, 2009 Writing Next, Montana State Standards and the Massachusetts State Standards. After careful consideration of the online feedback, standards from other states, national frameworks documents and national reports, and much discussion on specific English language arts and education issues in each of the disciplines, the committee prepared a draft of the revised English language arts academic standards. The department solicited feedback on the draft revisions from a number of sources in the following ways:

- The public was invited to submit online feedback regarding the first draft of the revised standards.
- The public was invited to ask questions and submit comments at regional meetings hosted by former MDE Assistant Commissioner Karen Klinzing, Academic Standards and P-16 Initiatives Director, Dr. Beth Aune, and other department staff. These regional meetings were held in July in Rochester, Fergus Falls and Roseville, Minnesota. Nearly 70 people attended these regional meetings and participated in the discussions.
- The department convened a team of special education professionals to review the draft standards for items that might be biased against students with special needs.

Finally, the department solicited detailed feedback from several reviewers widely considered to be experts in K-12 standards and English language arts education. Each expert recommended improvements to the overall draft, paying close attention to the language arts area(s) for which they have particular expertise. The expert reviewers included the following:

- Dr. Michael Graves, Professor Emeritus, University of Minnesota;
- Dr. Catherine Snow, Common Core Standards Reviewer, Professor of Education, Harvard University;
- Dr. Deborah Dillon, Guy Bond Chair, College of Education, University of Minnesota;

- Dr. David O'Brien, Professor, College of Education, University of Minnesota;
- Lucy Calkins, Director of Literacy Specialist Programs, Columbia University; and
- Renee Hobbs, Professor, Temple University.

Need for Revised Standards in English Language Arts

There are several important reasons to revise the state's current English language arts standards, including:

- Meeting state and federal mandates;
- Providing a foundation for statewide assessments;
- Defining statewide graduation requirements;
- Providing guidance for curriculum improvement efforts; and
- Encouraging best practices in English language arts education.

At the federal level, the No Child Left Behind Act requires the development and assessment of "challenging academic content standards" in subjects "including at least mathematics, reading or language arts, and science, which shall include the same knowledge, skills, and levels of achievement expected of all children."⁵¹ The statewide tests known as the Minnesota Comprehensive Assessments (MCAs) assess student achievement of the content standards. Academic standards also address important knowledge and skills as identified in large-scaled assessments such as the MCA and NAEP, the National Assessment of Educational Progress. Since the standards provide the foundation for the state's educational accountability and assessment system,⁵² it is important to revise them periodically to reflect the most important knowledge and skills necessary for students to succeed academically and professionally.

The commissioner is also required to review and revise state standards according to a schedule set forth in state law under Minnesota Statutes, section 120B.023.⁵³ These statutory requirements are as follows:

- *College and work readiness:* In each subject area, the standards and benchmarks must be aligned with the knowledge and skills needed for college readiness and advanced work.⁵⁴
- *Technology and information literacy:* Technology and information literacy standards must be embedded into the standards.⁵⁵ This includes standards from sources such as the Minnesota Educational Media Organization (MEMO), International Society for Technology in Education (ISTE) and the International Technology and Education Association (ITEA).
- *Minnesota American Indian Tribes and Communities:* The revised standards "must include the contributions of Minnesota American Indian tribes and communities as they relate to the academic standards during the review and revision of the required academic standards."⁵⁶

In addition to meeting federal and state mandates, the standards need to be revised to serve other purposes. Standards do not mandate a particular curriculum, instructional method, or the full range of metacognitive strategies that students may need to monitor and direct their thinking and learning. Rather, the standards define the state's expectations of what students should know and be able to do in English language arts. As such, the standards have implications for graduation requirements and curriculum development. In addition, the standards define the expectations for statewide graduation requirements for all students. Moreover, state academic standards provide crucial guidance for curriculum improvement efforts and instructional planning. By emphasizing required achievements in a particular subject area, the standards leave room for teachers, curriculum developers, and local school districts to determine how those goals should be reached and

51 Public Law 107-110-Jan. 8, 2002 (No Child Left Behind Act of 2001), 115 STAT. 1445.

52 Minn. Stat. § 120B.30, governing statewide testing and accountability.

53 Minn. Stat. § 120B.023, Subd. 2.

54 *Id.*

55 *Id.*

56 Minn. Stat. § 120B.021, Subd. 1.

what additional topics should be addressed.

Minnesota's English Language Arts Standards and Benchmarks

The English language arts standards define general, cross-disciplinary literacy expectations that must be met for students to be prepared to enter college and workforce training programs ready to succeed. The K-12 grade-specific benchmarks define end-of-year expectation and a cumulative progression designed to enable students to meet college and career readiness expectations no later than the end of high school. Students advancing through the grades are expected to meet each year's grade-specific benchmarks, retain or further develop skills and understandings mastered in preceding grades, and work steadily toward meeting the more general expectations described by the College and Career Ready anchor standards.

The standards are written as broad statements of concepts or skills that students should develop or know. Each standard is supported by one or more benchmarks, which contain specific learning expectation nuances in each grade level. Minnesota state law requires both academic standards and benchmarks for English language arts in grades K-12, although only the standards are required to be in rule.⁵⁷ Academic standards describe the expectations in English language arts that all students must satisfy to meet state requirements for credit and graduation. Benchmarks supplement the academic standards by providing details about "the academic knowledge and skills that schools must offer and students must achieve to satisfactorily complete" the standards.⁵⁸ The benchmarks are written as learning outcomes, and are intended to both inform the implementation of the standards and to guide assessment, without being overly prescriptive, task-oriented or detailed. Many of the benchmarks include examples that clarify the meaning of the benchmark or indicate the expected level of student understanding. The examples may suggest learning activities or instructional topics. They are not intended to be directives for curriculum or a comprehensive fulfillment of the benchmarks.

Although only the standards are officially the subject of this rulemaking, the proposed standards and benchmarks are highly interdependent. They were developed together in the same discussions and drafting process, sometimes with content moving from the standard level to the benchmark level, or with benchmark content influencing the language of a proposed standard. Because of the interdependent nature between standards and benchmarks, this SONAR will refer to the benchmarks at times, to better explain how the standard is intended to be implemented or when the benchmarks play a role in those proposed changes.

English Language Arts Standards Framework and Organization

Given that the Common Core State Standards were to be the basis for the new 2010 English Language Arts Standards, the committee used the structural framework determined by the Common Core State Standards writing team. This framework includes four strands: 1) Reading; 2) Writing; 3) Speaking, Viewing, Listening and Media Literacy and 4) Language. Each of the main four strands that are part of the Common Core State Standards has College and Career Readiness (CCR) anchor standards associated with them; that is, standards that are anchored in college and career readiness. The Reading and Writing strands each have 10 anchor standards. The Speaking, Viewing, Listening and Media Literacy strand has 8 anchor standards and the Language strand has 6 anchor standards. The CCR and grade specific standards complement each other. The CCR standards provide broad standards and the grade specific standards provide additional specificity. The combinations of these standards define the skills and understandings that all students must demonstrate in each of the four strands.

Minnesota's revision committee broke into three subcommittees; reading, writing and speaking/listening. The language strand was addressed in each subcommittee because the Common Core Standards had intended that the language standards be woven into each of the other substrands. The subcommittees added, as needed, clarifying language and details to the Common Core standards language and benchmarks, and created standards for media literacy.

States that adopted the Common Core State Standards were required to adopt them in their entirety. States could then add up to 15 percent

⁵⁷ Minn. Stat. § 120B.023, Subd. 1.

⁵⁸ *Id.*

more content to make the standards state specific. During the review process, the revision committee added language to the Common Core standards to make them Minnesota specific and to account for Minnesota state statutory requirements, such as the inclusion of American Indians in the standards. Rather than being delivered as separate entities, the English language arts standards are designed to be woven together and taught in unison. Although the standards are divided into Reading, Writing, Speaking Viewing, Listening, and Media Literacy and Language strands for conceptual clarity, the processes of communication are closely connected, as reflected throughout this document. Overall, the standards were focused on emphasizing a smooth progression of learning from kindergarten through grade 12 in each strand.

The standards represent an interdisciplinary approach to literacy, incorporating reading and writing throughout the school day and between disciplines. According to the Common Core State Standards, the ELA Standards “insist that instruction in reading, writing, speaking, listening and language be a shared responsibility within the school. The K–5 standards include expectations for reading, writing, speaking, listening and language applicable to a range of subjects, including, but not limited to ELA. The grades 6–12 standards are divided into two sections, one for ELA and the other for history/social studies, science and technical subjects. This division reflects the unique, time-honored place of ELA teachers in developing students’ literacy skills while at the same time recognizing that teachers in other areas must have a role in this development as well.”⁵⁹ In addition, research and media skills are blended into the standards as a whole. “To be ready for college, workforce training, and life in a technological society, students need the ability to gather, comprehend, evaluate, synthesize, and report on information and ideas, to conduct original research in order to answer questions or solve problems, and to analyze and create a high volume and extensive range of print and nonprint texts in media forms old and new. The need to conduct research and to produce and consume media is embedded into every aspect of today’s curriculum. In like fashion, research and media skills and understandings are embedded throughout the standards rather than treated in a separate section.”⁶⁰

The Common Core State Standards document states that “part of the motivation behind the interdisciplinary approach to literacy promulgated by the standards is extensive research establishing the need for college and career ready students to be proficient in reading complex informational text independently in a variety of content areas. Most of the required reading in college and workforce training programs is informational in structure and challenging in content; postsecondary education programs typically provide students with both a higher volume of such reading than is generally required in K–12 schools and comparatively little scaffolding.”⁶¹ Thus, the standards also include separate substrands in reading for reading literature K-12 and reading informational text in grades 6-12 to better reflect skills and knowledge necessary for lifelong literacy.

The importance of students becoming proficient at using technology and digital media is also reflected in the English language arts standards. The field is rapidly understanding that literacy demands have increased and changed as the technological capabilities of our society have expanded and been made widely available; concomitantly, the need for more flexible, self-regulated individuals who can respond to rapidly changing contexts has also increased. The goal of improving adolescent literacy should not be simply to graduate more students from slightly improved schools, but rather to envision what improvements will be necessary to prepare tomorrow’s youth for the challenges they will face twenty and thirty years from now.

Literacy is largely dependent on vocabulary acquisition. Vocabulary plays an important role in reading, writing, listening and speaking. Students with large vocabularies understand text better and score higher on achievement tests.⁶² Therefore, vocabulary acquisition is included in the language strand of the ELA standards so that it can be effectively embedded in all ELA contexts. The standards also include an expanded definition of “text,” requiring students to be better consumers of information provided by digital media. In addition, the standards also reflect the understanding that technology affects production of expressive communication (e.g., how writing can be produced via blogs, Twitter, podcasts, Skype, etc.). The standards also reflect the idea that genres no longer have well-defined boundaries and that students need to read for meaning in a variety of text structures and features.

59 Common Core State Standards Initiative document, *supra* note 11 at p. 4.

60 *Id.*

61 *Id.*

62 Stahl, S.A., & Fairbanks, M. M., *The Effects of Vocabulary Instruction: A Model-Based Meta Analysis*, Review of Educational Research, 56(1), p. 71-110 (1986).

Grade-Specific Standards and Benchmarks

The 2010 English language arts standards and benchmarks are grade-specific at the K-8 level. They contain learning expectations tied to each specific grade level from kindergarten through grade 8. In the grades 6-12 English language arts standards and benchmarks, the benchmarks are grouped into grade bands 9-10 and 11-12. In the grades 6-12 Literacy in History/Social Studies and Science and Technical Subjects, they are organized in grade bands 6-8, 9-10 and 11-12. The grade bands allow individual school districts to teach the standards in the same grade levels as presented in the statewide standards, or in different grade levels within the grade band if desired, so long as all standards are mastered by the end of the grade band. With these proposed ELA standards, school districts will be required to implement the standards at the specific grade level in which they are presented, and will not have the option of implementing the standards in different grades.

The Literacy in History/Social Studies, Science and Technical Subjects benchmarks are a unique feature in this content area. The standards insist that instruction in reading, writing, speaking, and viewing, listening, and media literacy and language be a shared responsibility within the school as required by grade level. The K-5 standards include expectations for reading, writing, speaking, listening, and language applicable to a range of subjects, including but not limited to ELA. The grades 6-12 standards are divided into two sections, one for ELA and the other for history/social studies, science, and technical subjects.⁶³ The intent of the common core state standards is to build relevant and meaningful reading and writing experiences across the school day for all students in all subjects.

Although some school districts will need to make curriculum, staffing and other changes to ensure that their local programs match the grade-level specifications of these English language arts standards, many other school districts have grade level specific courses and materials that reflect the requirements of these proposed standards. Districts that have already voluntarily aligned with the specific grade-level placement of standards and benchmarks will find it relatively easy to align with the proposed standards. It is likely that the proportion of districts facing significant curriculum and related changes will be low; most school districts will face only regularly scheduled and anticipated changes as a result of these proposed standards.

Similarly, MDE understands that licensing requirements can be complicated for local school districts. The emphasis on ensuring that teachers are qualified to teach in particular subject areas and to specific student populations has increased substantially in recent years. When NCLB was enacted at the beginning of this decade, it also significantly increased the demands on teachers and schools to ensure a highly qualified teaching staff.

The Board of Teaching, along with other entities, including MDE and the higher education institutions that prepare teachers for their classroom careers, works on an ongoing basis to ensure that new and experienced teachers are prepared for the current educational environment, and that the licensing structure is available to support teachers and schools. The Board of Teaching works to match its licensing structure and requirements to the needs of Minnesota's education community. Higher education institutions work to ensure that their teacher education programs provide teachers with the training and background they need in today's classrooms. Ongoing professional development and alternative licensing structures are available to help experienced teachers keep pace with new requirements and new educational theories. Minnesota's Board of Teaching licensure requirements also changed in September, 2010, and now require teacher training to be more aligned with expectations of 21st century learners. Despite support from MDE, the BOT, teacher preparation programs and others, teachers and schools sometimes face difficulties accommodating these changing expectations. This reality, though, does not reduce any school's responsibility to ensure that they have well-qualified ELA teachers in their classrooms. MDE and the Board of Teaching will continue to support schools and help them meet their licensing and classroom staffing needs, balanced with the expectation that all Minnesota students deserve qualified teachers in their classrooms. As these proposed standards are implemented, MDE will assist schools with their licensing needs by helping teachers to obtain licenses through the portfolio process, and targeted licensure programs.

MDE will provide and support professional development programs to help teachers implement the new standards by providing them with opportunities to maintain or gain the content knowledge and teaching strategies needed to implement the proposed standards. MDE content specialists have provided professional development to teachers and administrators across the state. MDE has also partnered with state

⁶³ Council of Chief State School Officers (CCSSO) and the National Governors Association (NGA), Common Core State Standards Initiative, Common Core State Standards for English Language Arts & Literacy in History/Social Studies, Science, and Technical Subjects, Introduction (2010).

education organizations (e.g., Minnesota Writing Project, Minnesota Reading Association, Minnesota Council of Teachers of English, Minnesota Association for Supervision and Curriculum Development, the Minnesota Center for Reading Research, regional service cooperatives, colleges and universities, and other educational entities in providing information, support, and professional development on the proposed ELA standards.

Professional development that prepares educators for implementing these standards will better prepare students for the rigor and relevance represented in the 2010 ELA proposed standards. The MCA test is used as the measurement of student proficiency under No Child Left Behind. In the 2012-2013 school year, Minnesota will begin using the MCA-III reading test to assess student's knowledge and skills related to these proposed standards. Minnesota students will take the MCA-III Assessment in Reading in grades 3-8 and in grade 10 to meet graduation requirements. Students also take the Writing GRAD test in grade 9. The proposed ELA standards are based on the Common Core State Standards and measurements of student performance will show how Minnesota students are performing in comparison to students across the nation.

Proposed Permanent Rules Governing English Language Arts Academic Standards

3501.0640 KINDERGARTEN THROUGH GRADE 12 READING STANDARDS

One of the key requirements of the Common Core State Standards for Reading and thus the 2010 Minnesota Academic Standards in English Language Arts is that all students must be able to comprehend texts of steadily increasing complexity as they progress through school. Reading literacy is the cornerstone of all learning. The language arts are unique because they are processes that students use to learn and make sense of their world. Students do not read "reading"; they read about history, science, mathematics and other content areas as well as about topics for their interest and entertainment. The standards provide the targets for instruction and student learning essential for success in all academic areas, not just language arts classrooms. In each subject area, the ability to read and comprehend the material is of the highest importance. By the time they complete a K-12 education, students must be able to read and comprehend independently and proficiently the kinds of texts commonly found in college and careers.

Reading is a complex, interactive process that continues to be a primary means of acquiring and using information. Because reading is fundamental to the mastery of other school subjects, students at all levels must learn to understand what they read. They must know and use various skills and strategies to unlock the meaning of words and larger blocks of text to become successful readers. Students should be challenged to read literature and other materials that reflect and stimulate their interests and intellectual abilities. They should read a wide variety of materials, including fiction, nonfiction, poetry, drama, and other written works that reveal the richness and diversity of our heritage, afford opportunities to acquire new information, refine perspectives, respond to the needs and demands of society and the workplace, and provide for personal fulfillment. The impact that low reading achievement has on students' readiness for college, careers, and life in general is significant. As stated earlier in this document, a high school graduate who is a poor reader is a postsecondary student who must struggle mightily to succeed. The following reading standards exemplify the fundamental reading comprehension knowledge that students need in order to be fully equipped for the demands of college and the work place.

Subpart 1. Key ideas and details.

- A. The student will read closely to determine what the text says explicitly, to make logical inferences from it; and to cite specific textual evidence when writing or speaking to support conclusions drawn from the text.*

Minnesota students, as well as students across the globe, must pay close attention to the texts they read in order to make logical conclusions related to the meaning of the topic of the texts they are reading. Reading for meaning requires close attention to detail and using the information gleaned from reading to interpret information and extend learning. Understanding the intended meaning of the text, making inferences about that meaning, and conveying that meaning are essential literacy skills. During the standards revision process, the committee thoroughly discussed the implications of this notion. The committee determined, after deliberation, that this Common Core Standard fully described the knowledge and skills students must demonstrate and no further additions to this standard were necessary. Minnesota educators

had extensive involvement in the development of the Common Core Standards, so it was determined that the needs of Minnesota students were adequately reflected in this statement as it stands. This rule reinforces the notion that reading is more than reciting the words printed on a page or displayed on a screen. This standard requires teachers to provide meaningful opportunities for students to pay attention to the words they are reading, and use that new understanding to make inferences (attach new learning to existing understandings). Students must also cite evidence from what they read to foster increased understanding of the subject matter. It is reasonable, and important, to expect students to attend to the content of what they are reading, infer meaning through incorporating other learning, and cite evidence from that learning while writing or speaking to support their position and demonstrate their understanding of what has been read. This rule is reasonable because it is consistent with existing practices in classrooms, is a necessary skill for college and career readiness, and is supported by research in evidence-based practices in the field of literacy.

B. The student will determine central ideas or themes of a text and analyze their development and summarize the key supporting details and ideas.

Determining the gist of what is read, and articulating key ideas and details from a text is a skill that all students are expected to master in order to be proficient readers in college or the workplace. Summarizing key ideas and details of a text is essential for reading comprehension, and is an academic standard in all core content areas. The ability to identify and communicate essential elements of a text involves identifying and prioritizing the most important information read. Students need to critically consider the information they read, and use higher order thinking skills to analyze the difference between major and minor points the author articulates in any given text. This rule illustrates the need for students to convey meaning of what they read by selecting significant details and information to connect to other learning, share with others, or use to demonstrate understanding. Summarizing is a process in which a reader picks out the important ideas in a text or a story and uses this information to remember what they read and connect important information to new learning. The committee elected to not insert further clarification in this standard as feedback previously offered during the Common Core State Standards development process was already inserted. Adding additional verbiage would have narrowed the focus of the standard and the committee wanted to leave the statement as it currently appeared so that it was applicable across all grade levels. Specific grade level expectations at the benchmark level are clearly delineated because the cognitive development of the understanding of summarization and synthesis develops incrementally and can be more accurately reflected at a smaller grain size. This rule is reasonable because it is consistent with existing practices in classrooms, is a necessary skill for college and career readiness, is supported by research in evidence-based practices and illustrates the need for students to identify the key points of a text, paraphrase key points at a sentence-level or accurately recount a series of events.

C. The student will analyze how and why individuals, events, and ideas develop and interact over the course of a text.

Reading for understanding is essential to comprehension of digital and print texts. Increasing demands on reading comprehension with all texts, particularly informational texts, are key components of college and career readiness. This standard was adopted from the Common Core Standards without any additional content added by the committee. The committee discussed at length the scope of this standard and how it reinforces the notion that students need to be able to read closely to determine meaning through explicit and implicit analysis of texts and relate key elements of the reading to build on existing learning, or expand new learning. Committee conversations primarily revolved around details at the benchmark level and not the standard level, specifically how these standards correlated between both the literature and informational text strands. The committee felt that the Common Core Standard language was sufficient to support the above notions and adopted the common core standards language verbatim. This standard is necessary and reasonable because "close, attentive reading" (as quoted from CCS) is at the heart of understanding complex print and digital texts. Expectations of reading for meaning should begin in kindergarten and sustain focus and attention throughout a student's school career in order to adequately prepare them for post secondary educational and career options. This standard was stated succinctly and accurately so no further clarification or revision by the committee was necessary. No public comments were received at town hall meetings on this section.

Subpart 2. Craft and structure.

- A. The student will interpret words and phrases as they are used in a text, including determining technical, connotative, and figurative meanings, and analyze how specific word choices shape meaning or tone.*

The development of literacy is inherent in the foundations of literacy which begin to develop in infancy. Therefore, it is a fundamental responsibility of our schools to provide each student with the instruction needed to become literate members of society. Interpreting meaning of text takes a variety of forms and serves a variety of purposes, and all are necessary for effective communication. The ability to understand how the words chosen convey an intended meaning, add insight into the topic, or specify context, are important understandings to critically thinking about what is read, and what the author's intent might be. The development of literacy is not a linear process. Growing as a reader is a dynamic, flexible process that is dependent on interpreting words and phrases in meaningful ways. All aspects of this standards statement were considered by the committee, and decided that no additions were necessary to the Common Core Standards language. The committee added some additional language only at the benchmark level to more smoothly and coherently exemplify the nuances of figurative language in the elementary grades. Minnesota's previous contributions to the development of this Common Core Standards statement are sufficient to fully address the purposes of these fundamental literacy skills. This standard is necessary and reasonable because it supports the conventional understanding that interpreting words and phrases directly contributes to increased comprehension. Understanding the structure of the text, and the intended meaning of the text by analyzing word choices deepen understanding of genres and multimodal texts. Our understandings of genre and the multimodality of text is evolving to incorporate new technologies and connotations of existing materials. Furthermore, the ability to analyze and evolve in thinking as a reader is a key consideration for academic preparation in the 21st century. The purpose of interpreting words and phrases builds a student's academic and informal vocabulary so that they can use the information to create new understandings and simulate text structures to convey meaning in a variety of ways in their own academic pursuits or post secondary options.

- B. The student will analyze the structure of texts, including how specific sentences, paragraphs, and larger portions of the text (e.g., a section, chapter, scene, or stanza) relate to each other and the whole.*

The concept of text structure has a significant impact on reading comprehension. Analyzing that text structure, in whole or in part, leads to greater understanding of the message the author intends to convey. Readers experience text structures in different ways, and some are more predictable than others. Identifying the structure of a text helps readers read more efficiently. Readers select specific comprehension strategies that fit a particular text based on knowledge of how the information is organized. Readers can anticipate what information will be revealed in a selection when they understand text structure. Research and utility of teaching text structure has evolved in recent years, along with the necessity to explicitly include this information in instruction to positively impact comprehension. This research is particularly important in genres beyond traditional literature. The committee reviewed these findings and after careful consideration of the above principles elected to adopt the Common Core State Standards statement as is without further additions. Understanding the pattern of the text helps readers organize ideas for synthesizing and summarizing. This rule is necessary and reasonable because it emphasizes the need to use reading comprehension skills flexibly and with intent regardless of the text structure that a reader encounters. As we continue to expand our understandings of genre and text, this skill will be paramount for college and career readiness.

- C. The student will assess how point of view or purpose shapes the content and style of a text.*

Students need to independently comprehend and evaluate texts across a wide range of reading opportunities, and draw on the knowledge of how text is crafted and structured to facilitate understanding in order to transfer that learning across content areas and across concepts important to academic success. Understanding the point of view of an author or character impacts reading comprehension and accessibility of the content, context, and style of what is being read. The committee carefully considered the implications of this standard. This standard is necessary and reasonable because understanding point of view and purpose is not only important in literary works, but also that of informational text and multi-genre connotations in the ever changing environment of text development in the 21st century. Leaving this statement as it is represented in the Common Core Standards is reasonable because it allows for schools and districts to continually modify and adjust teaching and learning to meet the needs of all students as point of view, purpose, and style contexts evolve over the lifespan of

these standards. Furthermore, craft and structure is identified in the Common Core Standards as a group of standards central to an essential feature of comprehending print and digital text. This standard is necessary because it highlights the fact that in order to be ready for 21st-century pursuits, college, or careers, students need to demonstrate the ability to interpret an author's perspective, point of view, word choice, and meaning to adequately analyze critical features of meaning. The ability for a student to learn perspective and application of knowledge through text is imperative to academic growth. Discerning information and appreciating nuances of text helps readers adjust their purpose for reading and engage in learning to shape new understandings and meanings.

Subpart 3. Integration of knowledge and ideas.

A. The student will integrate and evaluate content presented in diverse media and formats, including visually and quantitatively, as well as in words.

Integrating ideas and knowledge from what is read to new and existing understandings is key to academic learning. This standard is necessary because as we continue to explore new versions of text, rely on technology to deliver information, and expand the use of visual and quantitative information in text, we need to promote deeper understandings of how this information is essential to comprehension. Successful readers develop over time, and literacy acquisition is a continual process. This standard is reasonable because students need both explicit and systematic instruction to read content that is presented in diverse media and formats, and not just words alone, in order to be ready for the demands of college and the workplace. This acquisition of knowledge requires experience and meaning-making from multiple text sources to demonstrate the relationship of reading and media. Using media and alternate text formats can be motivating and engaging for a wide range of learners. The committee consistently provided feedback on the necessity of adequately representing digital and evolving texts within the standards. During the adoption process, committee members thoughtfully and intentionally discussed the integration of diverse texts at all grade levels, and deemed this standard to be sufficient in scope. More specificity is offered at the benchmark level, along with examples of applications and uses that will support the integration of this standard in schools across the state. As literacy demands increase and shift, students need to integrate their knowledge in order to learn from a wide range of rich materials. This rule is reasonable and necessary to promote good literacy practices in Minnesota schools and acknowledges that text is not restrained to words on a page.

B. The student will delineate and evaluate the argument and specific claims in a text, including the validity of the reasoning as well as the relevance and sufficiency of the evidence.

Readers derive meaning when they engage in intentional, critical thinking processes that occur before, during, and after a student interacts with text. Meaning, relevance, and purpose are understood in the interaction between a reader and text. Reading comprehension doesn't just happen, it requires active thinking and strategic processing such as that which happens when a student can delineate and evaluate arguments and claims implied or explicitly stated within a text. Meaning doesn't exist in text alone; it must be constructed and sufficiently analyzed by the reader to determine relevance and connections to evidence. A goal of literacy instruction is to broadly affect students' comprehension, and create situations where students must analyze perspective and convey meaning to validate a point of view. Through the development process, Minnesota educators, stakeholders, and committee members responded positively to this standard. Supporting the notion of critical thinking and its role in metacognition, additions to this standard were contemplated, but it was determined that this standard already exemplified the importance of the development of evaluative skills and applications for literate students. This standard is reasonable and necessary because it defines the need for readers to evaluate text and apply reasoning rather than just absorb the information as offered. As 21st-century students are increasingly bombarded with information, the ability to analyze and prioritize the information will be a key indicator of college and career readiness.

C. The student will analyze how two or more texts address similar themes or topics in order to build knowledge or to compare the approaches the authors take.

The Reading Strand Subgroup of the committee chose to adopt the integration of knowledge and ideas set of standards as they originally appear in the Common Core Standards. This decision was made because the committee felt that these standards represented the skills

students who are in college and career ready need to demonstrate. Applying these standards to both literary and informational text will support the development of literate and adaptable readers no matter the context or material presented. The integration of knowledge and ideas standards is necessary and reasonable because reading literacy does not stand alone. Research in the field tells us that it is critical to foster literacy development across all applications of communication with regular integration in order to prepare students for sophisticated communication requirements now and in the future.⁶⁴ For example, how students read and comprehend digital text is different than text presented on a written page. This is especially important in the area of informational text for college and career preparedness. In order for students to be self-directed learners, they need to have the capacity to integrate knowledge and ideas learned through print and digital text and to extend learning and apply new understandings.

This standard is further necessary and reasonable because making connections to prior knowledge, to other texts, and to other ideas, are at the center of a student's metacognitive development. This standard supports this notion through identifying the need to make connections and integrate learning by analyzing and comparing different texts with similar content. Furthermore, a student's ability to integrate knowledge and ideas is imperative to building a foundation of college and career readiness. Students must read widely, read texts from diverse cultures, and content specific texts to build a foundation of knowledge that will not only support reading proficiency, but all aspects of academic learning.

Subpart 4. Range of reading and level of text complexity. *The student will read and comprehend complex literary and informational text independently and proficiently.*

The Common Core Standards introduction provides that "students must be able to comprehend texts with steadily increasing complexity as they progress through school... Students must be able to read and comprehend independently and proficiently the kinds of complex texts commonly found in college and careers."⁶⁵ The instruction of reading comprehension presents unique challenges because of the variety and range of texts that students interact with across their academic experiences. The CCS document states that, "research indicate[s] that the demands of college, careers, and citizenship place on readers have either held steady or increased over the last 50 years." There is evidence to suggest that K-12 texts have declined in sophistication over the years, and as a result, there is a gap between high school students' reading abilities and the likely demands they will face in college or careers.⁶⁶

This standard generated the most discussion within the committee and during the public comment period of any of the other standards represented in this document. The expectations for all readers to be reading independently and proficiently are at the core of literacy education. We need to continually modify and adjust our practices while clearly working toward this expectation for all learners. Since there is not one clear path to independent and proficient reading for all students, a concerted effort and sustained attention is required throughout a student's K-12 education in order for this goal to be attained.

This standard is necessary and reasonable because the ability to read complex and rigorous texts with independence is essential for academic achievement. Students must develop the skill, concentration, and stamina to read text, especially expository texts, to capture the nuances, subtleties, depth and breadth of knowledge presented in academia and the workplace. Expert reviewer O'Brien, stated that "the Common Core group had some major misconceptions with notions of measuring or otherwise assessing text complexity in relation to student reading. This is an area where [Minnesota] could extend the notions and clarify issues. I was glad to see that the document alludes to reader variables including things like motivation and experience that are not tapped by typical readability measures of texts. But the continued inclusion of quantitative measures like readability indices and 'qualitative measures' which refer to ambiguous factors like 'levels of meaning' and 'language conventionality' imply that we can actually level texts in a neat linear set." O'Brien recommended clarifying the difference between absolute leveling (using measures and set factors) versus text accessibility, which balances interest, motivation, stance, etc. with so-called text difficulty or complexity. Even though this information is important to consider, the committee determined these comments to

64 Holum, A. & Gahala, J. *Critical Issue: Using Technology to Enhance Literacy Instruction*, The North Central Regional Educational Library (2001), available at: <http://www.ncrel.org/sdrs/areas/issues/content/contareas/reading/li300.htm> (last visited May 6, 2011).

65 Common Core State Standards Initiative document, Appendix A, *supra* note 18 at p. 2.

66 ACT, Inc., *Reading Between the Lines: What the ACT Reveals about College Readiness in Reading* (2006), available at: http://www.act.org/research/policymakers/pdf/reading_report.pdf (last visited May 6, 2011).

be informative, but beyond the scope of what could be incorporated within a standards document. Although much work was done at the benchmark level to adequately address all aspects of this standard, the committee adopted this standard as presented in the Common Core Standards final draft. It was felt that more delineation at the grade level was the most appropriate place to insert additions and address the need to include motivation and engagement.

3501.0645 KINDERGARTEN THROUGH GRADE 12 WRITING STANDARDS

Writing is an essential skill. People use writing in all aspects of life; to request information, express a need, describe an event, place, a person, an experience, communicate ideas and feelings, and to interact with other human beings. In order to be active participants in our global society, students must be able to write for multiple purposes, to multiple audiences, in multiple formats and modes. To build a foundation for college and career readiness, students need to learn to use writing as a way of offering and supporting opinions, demonstrating understanding of the subjects they are studying, and conveying real and imagined experiences and events. "The ability to write articulately gives one the power and opportunity to share and influence thoughts, ideas, and opinion with others, not only in day-to-day situations, but across time and space."⁶⁷

Students must learn that a key purpose of writing is to communicate clearly to an external, sometimes unfamiliar audience, and to adapt the form and content of their writing to accomplish a particular task and purpose. They need to develop the capacity to build knowledge on a subject through research projects and to respond analytically to literary and informational sources. "To enhance engagement and motivation, students should have opportunities to choose their own topics and forms. To meet these goals, students must devote significant time and effort to developing a writing process, and producing numerous pieces over short and extended time frames throughout the year."⁶⁸ The very act of writing—and revising—teaches us to identify and correct contradictions, to refine and improve and clarify our thoughts—to think.⁶⁹ According to the National Commission on Writing, writing "requires students to stretch their minds, sharpen their analytical capabilities, and make valuable and accurate distinctions."⁷⁰

The standards in the English Language Arts Common Core State Standards writing strand require that students demonstrate proficiency in three text types: 1) arguments to support claims, 2) informational texts and 3) narrative. The committee, in response to recommendations by a Minnesota feedback group and the Standards Revision Committee, added creative texts to the narrative writing standard. Within the writing strand are standards that focus on the production of and distribution of writing. The committee added language that focused on the writing process in response to the focus group's recommendations, which were especially influenced by the Minnesota Writing Project's recommendations. Since the early 1970's, most Minnesota students have been taught to use a writing process, which typically includes prewriting, drafting, conferencing, revising, editing and publishing. NAEP studies from 1996 and 1998 showed that higher than average writing scores were attributed to writing techniques defined as the writing process.⁷¹ The committee believed that our standards should support process writing due to its success with students.

Research skills are also part of this strand. To be college and career ready, students must engage in research and present their findings in writing and orally, in print and online. The ability to conduct research independently and effectively plays a fundamental role in gaining knowledge and insight in college and the workplace.⁷² Research in the digital age offers new possibilities as well as new challenges for students. The internet provides access to a wealth of informational sources and it is necessary that students know how to sort through data

67 Kamehameha Schools, *The Writing Process: An Overview of Research on Teaching Writing as a Process*, A Research & Evaluation Report (April, 2007) p. 4, available at <http://www.ksbe.edu/spi/PDFS/Reports/WritingProcessreport.pdf> (last visited May 5, 2011).

68 Common Core State Standards Initiative document, *supra* note 11 at p. 18.

69 Hillocks, G, *Synthesis of Research on Teaching Writing*, *Educational Leadership*, 44(8), p. 72 (1987).

70 Report of the National Commission on Writing, *supra* note 7 at p. 13.

71 Kamehameha Schools, *supra* note 67 at p. 3.

72 Council of Chief State School Officers (CCSSO) and the National Governors Association (NGA), *Common Core State Standards Initiative, Common Core State Standards for English Language Arts & Literacy in History/Social Studies, Science, and Technical Subjects*, Standards Draft, Sept. 21, 2009, p. 31.

and determine the origin and credibility of these sources.⁷³ To become skilled researchers students must learn to gather information and evidence from multiple print and digital sources, determine the accuracy and credibility of sources and support an analysis or position. Once the necessary information is gathered students need to understand how to integrate and communicate the information they found while avoiding plagiarism.

Subpart 1. Text types and purposes.

A. The student will write arguments to support claims in an analysis of substantive topics or texts, using valid reasoning and relevant and sufficient evidence.

Subpart 1 consists of three standards that define the types and purposes of writing. The first standard focuses on presenting an argument in writing. This standard is necessary and reasonable because presenting an argument in written form is a type of writing required in all college and career environments. Arguments are used to change a reader's point of view, to cause a reader to perform an action, or to accept a writer's ideas about a topic, problem, or issue. Persuasive writing requires the writer to present an opinion or understanding in a logical manner, supporting the claim with relevant and adequate evidence. Arguments are used across all subject areas. Students are required to take a position and defend their stance in English language arts, science, social studies, history, and technological subjects. While the process of making a claim will vary across content areas, the process of defending a claim is similar across content areas; writers state an opinion or stance and logically present evidence. In science the evidence often comes from experiments or scientific studies. In social studies writers use both primary and secondary sources, case studies, and action research. Evidence to support a claim about a text in English language arts often comes from the text itself.

The Common Core State Standards document sets out significant research that supports the importance of learning to write persuasively. "A 2009 ACT national curriculum survey of postsecondary instructors of composition, freshman English and American literature courses found that 'write to argue or persuade readers' was virtually tied with 'write to convey information' as the most important type of writing needed by incoming college students. The 2007 writing framework for the National Assessment of Educational Progress (NAEP) assigns persuasive writing the single largest targeted allotment of assessment time at grade 12 (40 percent, versus 25 percent for narrative writing and 35 percent for informative writing.) On the 2009 ACT national curriculum survey, postsecondary faculty gave high ratings to such argument-related skills as 'develop ideas by using some specific reasons, details, and examples,' 'take and maintain a position on an issue,' and 'support claims with multiple and appropriate courses of evidence.'"⁷⁴

In early 2010, the Minnesota feedback group suggested that the Common Core State Standard language be changed in this standard. As originally written, the Common Core State Standards required that students make claims on the quality of a *literary* work. The focus group found the original wording limited students and also required that students must be able to read and understand a literary text in order to write an argument, which is not the case. The Common Core writers revised the standards so that students are now able to make claims on a variety of topics and texts, no longer limiting students exclusively to literary works.

B. The student will write informative/explanatory texts to examine and convey complex ideas and information clearly and accurately through the effective selection, organization, and analysis of content.

The second standard in Subpart 1 is about discourse that is used to explain, describe, or inform the reader about a particular topic. This standard is necessary and reasonable because it is the type of writing most often encountered in daily life. Explanations start with an assumption of truthfulness and answer questions about why or how. The aim of the writer is to clarify information and to help the reader understand something about an issue, topic, or concept. In non-fiction books, magazines, or newspaper articles, the author uses expository writing to inform the reader about the topic. At school, students are required to articulate what they have learned in essay tests and expository papers as a means for their teachers to assess their understanding of issues, topics and concepts. In the work place, people are required to produce reports, correspondence and memorandums to inform their superiors, co-workers, and stakeholders about the occurrences that take

73 Council of Chief State School Officers (CCSSO) and the National Governors Association (NGA), Common Core State Standards Initiative, Common Core State Standards for English Language Arts & Literacy in History/Social Studies, Science, and Technical Subjects, Standards Draft, Sept. 21, 2009, p. 33.

74 Common Core State Standards Initiative document, Appendix A, *supra* note 18 at pp. 25-26.

place in the company or profession.

- C. The student will write narratives and other creative texts to develop real or imagined experiences or events using effective technique, well-chosen details, and well-structured event sequences.*

The third standard in Subpart 1 is necessary and reasonable because it requires that students learn a skill needed in adult life; the ability to describe an experience or procedure in order to inform, instruct, persuade, or stir emotion. "Narrative intelligence is the ability to perceive, know, feel, and explain one's experience and thus to re-create a reality through the use of stories. While the world does not necessarily need more short-story writers, it certainly needs more people who can tell a good story. Journalists often speak of finding the narrative thread in the events they report. To diagnose, doctors listen to their patients' complaints and then organize the pieces into a coherent story of an illness. Police detectives compile evidence and clues to shape a case. The best historians and history teachers recount the past as a well-told tale. Corporations invest in expensive advertising campaigns to tell the story a company wants the public to hear about its products. Narrative skills are truly life skills."⁷⁵

The Common Core State Standards do not address creative writing or reflective writing which was a concern to the Minnesota feedback group which met during the 2009-2010 school year in order to provide feedback to the Common Core State Standards writers. The absence of creative and reflective writing was also a concern raised in town hall meetings during the summer of 2010. The committee, given the feedback from members of the Minnesota Writing Project, the Minnesota feedback group and town hall participants, added "other creative texts" to better represent what was recommended by Minnesota educators. Reflective writing was not added because the committee felt that reflection was addressed in Subpart 2 B (see below).

Subpart 2. Writing process: production and distribution of writing.

- A. The student will produce clear and coherent writing in which the development, organization, and style are appropriate to task, purpose, and audience.*

Subpart 2, Writing Process: production and distribution of writing, consists of three standards related to the creation and publication of written text. The first standard, Part A, is necessary and reasonable because it is, in essence, the very definition of quality writing. This standard includes the three essential considerations all writers must attend to: task, purpose and audience. In order for writing to be effective, the writer must, first, have a clear understanding of task and purpose: what is required of this writing and what is its purpose. Equally important is an understanding of the writing's intended audience. Audience and purpose dictate content and form in writing. Upon mastering this standard, the student writer is empowered to analyze the task and can create a written message perfectly suited to the situation. Early drafts of this standard did not include audience and purpose. Feedback the committee received raised a concern about this omission to the Common Core writers, and, as a result, audience and purpose language was added. Since the concern was addressed, the committee determined that the standard fully described the knowledge and skills students must demonstrate and no further additions to this standard were necessary.

- B. The student will use a writing process to develop and strengthen writing as needed by planning, drafting, revising, editing, rewriting, or trying a new approach.*

The second standard is necessary and reasonable because in order to write clearly and concisely, students need to learn a process that includes strategies for planning or prewriting, writing a rough draft(s), and revisiting and refining their writing. Further evidence of the importance of the writing process comes from a 1998 NAEP study of 160,000 students nationwide that found that students who used a writing process in composing text scored higher than students who did no prewriting and planning. Currently, Minnesota's 9th grade Graduation Required Assessment for Diploma Writing Test includes in the test booklet, pages for planning and prewriting. While a demonstration of the writing process is not required to pass the test, students are encouraged to do prewriting and drafting before creating a final draft. The test acknowledges that students are taught to use a writing process in Minnesota classrooms and that using a process is a

⁷⁵ Jago, Carol, *Come to Class: Lessons for High School Writers* (2008), available at <http://lessonsforhighschoolwriters.com/components.aspx#4> (last visited May 12, 2011).

pathway to better test performance.

Furthermore, Richard Beach, a professor of literacy education at the University of Minnesota provided an opinion during the online public comment period. He noted that “one of the strengths of the writing standards is that they do contain standards related to teaching the composing process, something that is central to writing instruction.” He also noted that the focus on a writing-process approach has been widely adopted in Minnesota schools for several decades, resulting in relatively high achievement for many students.

The Common Core State Standards did not include the word “drafting” in this standard. The Common Core feedback group and the committee agreed that the word “drafting” should be added to the standard because a step in the process was missing between planning and revising. This addition was necessary and reasonable because revising written product is impossible without the presence of drafting.

C. The student will use technology, including the Internet, to produce and publish writing and to interact and collaborate with others.

This third standard in Subpart 2 is necessary and reasonable because, given the growing accessibility of technology and the dependence on the Internet for communication and collaboration, students now and in the future will be required to produce and publish writing using a 21st-century vehicle. The need for this knowledge and skill is accelerating rapidly. As evidenced in many fields outside of education, technology and the Internet are allowing and encouraging people to work with peers and audiences beyond their physical work environment; students, as well, are beginning to reach beyond their classrooms and are communicating through writing with peers and audiences far from their classrooms and communities. Teaching students how to become skilled participants, writers, and communicators in a virtual and web-based network is a necessity.

The Committee discussed the use of the word “Internet” in this standard, noting that the Internet may be replaced by something else in the future. Since it was not possible to change any of the language in the original Common Core document, “Internet” remained in the standard and the Committee chose not to make any additions to address this concern.

Subpart 3. Research to build and present knowledge.

A. The student will conduct short as well as more sustained research projects based on focused questions, demonstrating understanding of the subject under investigation.

Learning depends on a student’s ability to do research, to focus on a question, to gather data or information, to analyze, and to come to a new understanding or gain knowledge about a topic under investigation. Research can take minutes or hours, one day or several. Research is a life skill that needs to be taught and modeled and is required for college and career readiness. It is motivated by a need to learn more or to find an answer. This standard is necessary and reasonable because it is at the heart of education. Students learn best when they are engaged in meaningful and authentic inquiry. The committee was supportive of this standard and chose to adopt the standard verbatim from the Common Core State Standards without further additions or adjustments.

B. The student will gather relevant information from multiple print and digital sources, assess the credibility and accuracy of each source, and integrate the information while avoiding plagiarism.

Although students are dominant consumers of digital information and sources, they are not always proficient in knowing how or where to find relevant and reliable information. One of the most difficult aspects of research for students is identifying what information is relevant and what is not. Students are overwhelmed by too much information and are not experienced enough to know when they are being manipulated or deceived rather than informed by reliable sources. Too often they trust one source and don’t compare information and data across several sources. Therefore, this standard is necessary and reasonable because students need to be taught how to triangulate information in an effort to identify which sources are reliable and consistent. Students need to learn how to question, think, evaluate, interpret, and integrate information. The committee supported this standard and its comprehensiveness and adopted it verbatim. The committee was also supportive of the standards’ focus on teaching students to respect intellectual property and copyright and to avoid plagiarism. Many committee members strongly supported the idea that students learn the ethics of research, which includes attention to correctly providing citations for information found in both print and digital sources.

C. The student will draw evidence from literary or informational texts to support analysis, reflection, and research.

This standard is closely tied to and supportive of the skills and knowledge noted in many of the reading standards, especially Subpart 1A, "...cite specific textual evidence when writing or speaking to support conclusions drawn from the text," Subpart 3A, "...the student will integrate and evaluate content presented in diverse media and formats..." and Subpart 3B, "...the student will ... evaluate the argument... in a text, including the validity of the reasoning as well as the relevance and sufficiency of the evidence." This standard requires that students pull research evidence from literary or informational texts and understand how to use the evidence to support their research. This standard goes beyond the skill of locating evidence while doing research; it also requires that students know how to connect the evidence to their findings. This standard also includes attention to the critical role of reflection in the research process. This standard is reasonable and necessary because students must know these essential skills (analysis, reflection and research) in order to participate in meaningful inquiry. Meaningful inquiry is necessary in college and careers and is a life skill required in both a student's professional and personal life.

Subpart 4. Range of writing. *The student will write routinely over extended time frames (time for research, reflection, and revision) and shorter time frames (a single sitting or a day or two) for a range of tasks, purposes, and audiences.*

This standard addresses the variety and range of writing required in daily life. The committee was especially supportive of this standard because it requires that students experience and demonstrate proficiency in many and varied writing situations. The committee adopted this standard verbatim from the Common Core State Standards with no language modifications. Routinely, people are required to produce writing on demand. For students that usually occurs in testing situations. The purpose of this type of writing is to demonstrate what has been learned for the audience, typically the teacher. Students are also asked to produce short texts that recall an event, communicate an opinion, or provide information. Students must also know how to produce longer, more complex pieces of text that involve extended research and produce a detailed and polished draft. The purpose and audience dictate the format and the length or comprehensiveness of both short and extended pieces of writing. This standard is necessary and reasonable because it is crucial that students can write in both contexts and that they learn how purpose and audience are paramount in the decisions a writer makes as he/she creates text. A skilled and successful writer is one that has a wide repertoire of skills and strategies to rely on for any kind of writing task. The ability of a writer to adjust his/her writing to task, purpose and audience extends his/her effectiveness to communicate his/her thinking, opinion, wishes, and experiences.

3501.0650 KINDERGARTEN THROUGH GRADE 12 SPEAKING, VIEWING, LISTENING, AND MEDIA LITERACY STANDARDS

The Speaking, Viewing, Listening and Media Literacy standards address three aspects of oral and visual communication: oral and visual comprehension and collaboration skills, speaking presentation skills, and media literacy skills. In early Common Core State Standards drafts, this strand was undeveloped. In early 2009, there were originally only four standards that did not adequately address skills and knowledge students needed to be effective oral communicators. The feedback group was insistent on this area needing further work and revision. By spring 2010, the Common Core Standards Committee had expanded the strand to include six standards. The committee further expanded this strand by adding two media literacy standards to the strand.

Subpart 1. Comprehension and Collaboration.

A. The student will prepare for and participate effectively in a range of conversations and collaborations with diverse partners, building on others' ideas and expressing their own clearly and persuasively.

This standard captures what is basic to human interaction; the ability to converse with, understand, and collaborate with other people and to clearly express our own thoughts and be receptive to the ideas and thinking of others. To be college and career ready, students must learn how to engage in a variety of structured conversations around academic and current topics. In order to be contributors and participants in discourse, students need opportunities to learn and practice the conventions of conversation: to listen, to be receptive and to interact in a way that extends and supports a discussion.

Students need to be taught that participants come to structured discussion prepared with information about a topic. Those involved in a collaborative discussion follow rules for collegial discourse, pose questions that solicit the input of others and acknowledge new information, and when warranted, modify their own opinions. Cooperation, mediation and problem solving to make decisions and move forward as a group are skills that students, and adults as well, need to participate in society. This standard attends to all of those skills.

This standard is necessary and reasonable because students are required to talk and collaborate with others in every aspect of their lives. In order to be competent communicators in a variety of settings, students must learn and master communication skills necessary in a modern, diverse, and global society. The ability to express one's ideas clearly and persuasively and to, in turn, be receptive to the ideas of others is critical to being a successful contributor and participant in one's community.

The committee discussed this standard at length, especially its focus on collaborations with diverse partners and the importance of students learning how to communicate and work with others who may not share a common background and customs. The committee determined that the standard, as written, captures what is essential for student interaction in the classroom and in life, and adopted the standard verbatim from the Common Core State Standards.

B. The student will integrate and evaluate information presented in diverse media and formats, including visually, quantitatively, and orally.

While schools continue to be dominated by print, our lives are increasingly influenced by visual images, from corporate logos to ballpark and roadside billboards to cell phones to Internet websites. This standard is necessary and reasonable because learning how to "read" the multiple layers of image-based communication is as necessary as traditional print literacy. We live in a multi-media world. Students glean information and learn from print textbooks and TV documentaries, as well as TV cartoons and commercials, video games, both print and digital news media, charts presented in print and visual formats, and through televised and podcast speeches and lectures. Because students are bombarded with information from a wide variety of media in multiple formats, they need to be taught skills that allow them to analyze and evaluate information and to learn strategies to synthesize and integrate information. To be college and career ready, students must know how to integrate multiple sources of information in order to make informed decisions and solve problems. Students must also develop skills to evaluate the credibility and accuracy of sources and note discrepancies among presented data.

The Standards Committee supported this standard and adopted it verbatim from the Common Core State Standards. It was so universally accepted that no discussion surrounded it during the standards revision process.

C. The student will evaluate a speaker's point of view, reasoning, and use of evidence and rhetoric.

This standard requires students to listen and take in information orally and to create meaning and intellectual growth from what they hear. Listening is the first literacy skill that children learn and use. They listen before they speak, read and write. Listening is also the foundation of all other language modes. Unfortunately, listening is the mode that receives the least attention and instruction in schools. This standard is necessary and reasonable because students need to develop a repertoire of listening strategies that can turn listening into learning. "Most people speak at about 125 words per minute, but listeners can think at about four times that speed. This skill gives listeners plenty of time to think about the speaker's message while simultaneously interpreting non-verbal messages that appear in the speaker's tone of voice and physical movements and expressions. Good listening, therefore, is not as passive as generally thought but requires discipline to consciously create a mental space that allows listeners to focus attention on the words and ideas being expressed."⁷⁶

Students need to be able to distinguish the points a speaker makes and identify how a speaker's ideas are supported by reasons and evidence, thereby distinguishing between a speaker's opinions and verifiable facts. These skills are especially vital in a world in which there are not clear distinctions between what is factual and news and what is hype and infomercial. By high school, students must be able to identify how and when a speaker's point of view and reasoning is influenced by audience, word choice, tone, and rhetoric. This standard is necessary and reasonable because these skills are essential in life-long learning. Whether one is voting, financially supporting an organization, following a cause or leader, or opting to change a personal or professional course or path, people need to carefully listen to those speaking their points of

⁷⁶ Brinkley & Harper, *supra* note 13 at p. 45.

view and have the skills needed to distinguish what is supported by reliable and valid evidence. The committee discussed this standard thoroughly and accepted it verbatim from the Common Core State Standards. The committee did, however, add minimal language only at the benchmark level to highlight the importance of students learning that audience does impact and influence the decisions a speaker makes when crafting and delivering his/her point of view.

Subpart 2. Presentation of knowledge and ideas.

Subpart 2 of the Speaking, Viewing, Listening and Media Literacy standard focuses on the skills required in presenting information and ideas in a formalized environment, beyond structured group discussions and casual conversation. The majority of students know *how* to talk, but few of them know naturally the conventions of speech or presentation. The goals of the standards in Subpart 2 are to teach students the skills and strategies of clearly presenting information in an organized way, to effectively use visual displays, and to adapt presentation based on audience, purpose and task.

A. The student will present information, findings, and supporting evidence such that listeners can follow the line of reasoning and the organization, development, and style are appropriate to task, purpose, and audience.

This standard focuses on speaking or presenting information orally and visually. The skills in this standard are critical to college and career readiness and are supported by those in the writing strand. Whether students are speaking or writing about a topic they have studied or in which they are knowledgeable, they must have a good command of speaking and presenting skills. These skills focus on presenting information on a topic or text or presenting an opinion by sequencing ideas logically, using relevant and credible facts to support the main ideas or themes, articulating themselves clearly, and employing the conventions of the genre or mode of communication. Students need to be able to choose details and evidence that resonates with their audience and purpose. They also must learn and understand the importance of eye contact, adequate volume, clear pronunciation; all of which impact audience engagement and receptiveness. This standard is necessary and reasonable because command of this standard will afford students success in education, careers and adult life. Practice in delivering speeches and presentations during a student's elementary and secondary school experience helps students polish and refine their presentation skills. This enhances their opportunity to become skilled adult speakers. Society often listens to and follows those who are skillful public speakers and presenters. Whether evidence supported or not, skill in this area suggests to most audiences that the speaker is confident, intelligent, and able to lead. The committee ultimately adopted this standard verbatim from the Common Core State Standards. Initially, the committee was concerned that plagiarism was not part of the standard. However, after further investigation, the committee determined that plagiarism is part of each benchmark aligned to this standard starting in grade two through grade 12. That attention to respect for intellectual property provided the committee with the assurance that students are adequately taught about plagiarism at the benchmark level.

B. The student will make strategic use of digital media and visual displays of data to express information and enhance understanding of presentations.

Technology has afforded presenters and speakers an opportunity to incorporate several varied modes of communication and media when attempting to inform or persuade an audience. It is common for speakers to use video, slides, audio, lighting, music, artwork, fonts, and graphics to communicate a message and engage an audience. Students are frequently that audience. This standard offers students an opportunity to move beyond being an audience member to mastering the skills used by effective speakers. The standard is necessary and reasonable because 21st-century students will be called on, more than ever, to present information and ideas in visual and digital contexts. The growth in technology and global interactions will require this type of communication more and more. Students are already learning to create multimodal research papers and websites to communicate their findings and ideas to others. For example, students are learning to incorporate video clips, audio clips, and three dimensional displays into their speaking and writing projects. As technology advances and becomes more available to schools, these options will surely increase and audiences will begin to expect those features in presentations and texts.

During the drafting process, the Common Core Standards writers received feedback from the public and from state level feedback groups that the standards did not require students to use technology for communication. The Common Core Standards writers responded to this feedback by revising the Common Core Standards to require students to use a variety of digital media and other visual technology to share

information. Given this addition, the committee chose to adopt this standard verbatim from the Common Core Standards.

C. The student will adapt speech to a variety of contexts and communicative tasks, demonstrating command of formal English when indicated or appropriate.

This standard requires students to craft and adapt their speech in response to context and type of communication, while using appropriate English. This standard is necessary and reasonable because students are required to speak in a variety of contexts, to different kinds of audiences, and for different purposes. To be effective communicators, students need to learn and practice those skills to optimize their ability to be understood and heard. Students must understand that speakers make choices and behave differently depending on whether an audience is the general public, friends, or peers. The content and tone of the speech needs to be adapted depending on the size of the audience and the audience's background. The language choices of the speaker must resonate with the audience, and the media and technology used should enhance the message and align to the speaker's intention. The committee adopted the Common Core Standard language verbatim. They did, however, add language that the student learns to adapt to the audience and the feedback of self and others at the benchmark level.

Subpart 3. Media literacy.

Media literacy is knowing and having the skills to be critical thinkers and consumers of media, as well as skillful producers of media using image, language and sound. Media literacy, as in reading and writing, means that a media-literate person can access, analyze, evaluate and communicate with the ever evolving technologies and formats that have become routine tools in our daily life, careers, and education. Our world formerly operated in a print text environment. Today we work, study and find recreation in a complex electronic environment of multisensory media. Media literacy is an area in which our students live, but not an area in which most are highly literate.

The two media literacy standards in Subpart 3 are the only standards that the committee added to the Common Core State Standards. The Common Core State Standards do address media literacy but not specifically; rather both research and media skills are said to be embedded throughout the Common Core State Standards. The Minnesota focus group expressed concern about this lack of attention to media literacy during the Common Core drafting process. The committee also expressed concern about the lack of emphasis on media literacy in the draft Common Core State Standards. Renee Hobbs, expert reviewer from Temple University, also acknowledged the absence of media literacy in the Common Core State Standards and recommended to the committee that this oversight be remedied by an addition of media literacy standards to the Minnesota standards. The committee acted upon all of the recommendations from Minnesota educators and Dr. Hobbs, by crafting its own media literacy standards. The addition of the two media literacy standards also addressed the need to incorporate technology and information literacy in the standards, as required by statute. These statutory requirements include the knowledge and skills required to use media as a consumer or receiver and the production of media.

A. The student will critically analyze information found in electronic, print, and mass media and use a variety of these sources.

Students must know how to analyze print, visual and auditory texts, comprehend what the text is saying, infer meaning and detect balance and bias. That analysis informs their understanding of a topic or issue and allows students to integrate new information with what they already know and understand. It often catapults their learning and sends them off onto a new quest to find information on new topics and questions. This standard is necessary and reasonable because so much of student learning and information-seeking today is done beyond the school day and outside of the classroom. Students encounter information on the Internet, television, in music, advertising, wikis, blogs, and videos. Sometimes their information-seeking is limited because they don't know how to find information. When they do find sources, many of the texts and web-based sites are not regulated by the FCC, peer review, a code of ethics or the oversight of parents and teachers. Students don't know who or what information to trust; and the worst-case scenario is that they trust it all. For that reason, students need to be taught how to be critical, informed consumers of data and information. If they don't become media and text savvy, they are positioned to make judgments and decisions based on sources that may not be credible and reliable. Student learning in the area of media literacy carries on into adult life and continues to improve learning as well as positively impact professional and personal lives because individuals can distinguish what information is factual and supported by credible evidence and what information is unreliable.

The committee wrestled over what to include in this standard. They debated about its range and most important components, specifically should the standard be exclusively about digital and visual literacy, should it include print literacy or is that addressed sufficiently in the reading standards. In addition, the committee considered whether this standard should focus on more traditional or on the newest forms of

media, some of which may become outdated or nonexistent. Given the range of technology available in schools and homes across the state, the committee crafted this standard to be forward thinking and to offer learners options for sources, regardless of available technology.

B. The student will communicate using traditional or digital multimedia formats and digital writing and publishing for a specific purpose.

This standard relates to students learning and utilizing multimedia formats for producing and publishing traditional or digital texts. A multimedia format is one in which students use sound, visuals, print, artwork, photographs, and a variety of other media in concert to communicate a message or idea. It is aligned to and supports the writing standard, Subpart 2 C, “*The student will use technology, including the Internet, to produce and publish writing and to interact and collaborate with others.*” This standard is different from the writing standard in that in this standard, students learn the skills required to create multimedia products. Although writing is generally a tried and true traditional form of communication in school, in online schools, in the marketplace and in the entertainment field, communication products are most often multimedia. For example, the educational materials that teachers purchase to perfect their practice include several media as part of the package: a print text, a CD or DVD of video modules, an Internet interactive site link and Twitter and other related options. Products similar to those for teachers exist across nearly all careers and interest areas. Communication formats will continue to be more multimedia than traditional writing. This change in communication media is what makes this standard necessary and reasonable. Students need skills that will help them be participants in a multimedia environment. The committee was unanimous in its support of the addition of this standard to the Common Core State Standards because it is necessary for students to function in the 21st century. This standard was adopted verbatim from the Common Core Standards.

3501.0655 KINDERGARTEN THROUGH GRADE 12 LANGUAGE STANDARDS

The Language Strand includes elements of conventions, knowledge of language, and vocabulary that are meant to be integrated in all other strands. These skills do not stand alone but should be applied in reading, writing, speaking and listening. This strand includes standards that provide a coherent set of expectations for those modes of communication. In many respects, conventions, knowledge of language, and vocabulary extend across reading, writing, speaking, and listening. Many of the conventions-related standards that are appropriate to formal spoken English are also relevant to formal written English. Language choice is a matter of craft for both writers and speakers. New words and phrases are acquired not only through reading and being read to but also through direct vocabulary instruction and (particularly in the earliest grades) through purposeful classroom discussions around rich content. The inclusion of Language standards in their own strand should not be taken as an indication that skills related to conventions, knowledge of language, and vocabulary are unimportant to reading, writing, speaking, and listening; indeed, they are inseparable from such contexts.

Acquiring vocabulary and understanding of grammar is important in all aspects of literacy. Vocabulary has been empirically connected to reading comprehension since at least 1925⁷⁷ and had its importance to comprehension confirmed in recent years.⁷⁸ It is widely accepted among researchers that the difference in students’ vocabulary levels is a key factor in disparities in academic achievement,⁷⁹ but that

77 Council of Chief State School Officers (CCSSO) and the National Governors Association (NGA), *Common Core State Standards Initiative, Common Core State Standards for English Language Arts & Literacy in History/Social Studies, Science, and Technical Subjects, Appendix A* (2010), p. 32 (citing Whipple, G. (Ed.), *The Twenty-fourth Yearbook of the National Society for the Study of Education: Report of the National Committee on Reading* (1925)).

78 Council of Chief State School Officers (CCSSO) and the National Governors Association (NGA), *Common Core State Standards Initiative, Common Core State Standards for English Language Arts & Literacy in History/Social Studies, Science, and Technical Subjects, Appendix A* (2010), p. 32 (citing National Institute of Child Health and Human Development, *Report of the National Reading Panel: Teaching Children to Read: An Evidence-based Assessment of the Scientific Research Literature on Reading and its Implications for Reading Instruction* (2000)).

79 Council of Chief State School Officers (CCSSO) and the National Governors Association (NGA), *Common Core State Standards Initiative, Common Core State Standards for English Language Arts & Literacy in History/Social Studies, Science, and Technical Subjects, Appendix A* (2010), p. 32 (citing Baumann, J. F., & Kameenui, E. J., *Research on Vocabulary Instruction: Ode to Voltaire*, In Flood, J., Fisher, D., Jensen, J., & Squire, J., (Eds.), *Handbook of Research on Teaching the English Language Arts*, pp. 604–632 (1991);

Becker, W. C., *Teaching Reading and Language to the Disadvantaged—What We Have Learned From Field Research*, *Harvard Educational Review*, 47, pp. 518–543 (1997); and Stanovich, K. E., *Matthew Effects in Reading: Some Consequences of Individual Differences in the Acquisition of Literacy*, *Reading Research Quarterly*, 21, pp. 360–407 (1986)).

vocabulary instruction has been neither frequent nor systematic in most schools.⁸⁰ Research suggests that if students are going to grasp and retain words and comprehend text, they need incremental, repeated exposure in a variety of contexts to the words they are trying to learn. When students make multiple connections between a new word and their own experiences, they develop a nuanced and flexible understanding of the word they are learning. In this way, students learn not only what a word means but also how to use that word in a variety of contexts, and they can apply appropriate senses of the word's meaning in order to understand the word in different contexts.⁸¹ Furthermore, grammar and usage development in children and in adults rarely follows a linear path. In the twenty-first century, students must be able to communicate effectively in a wide range of print and digital texts, each of which may require different grammatical and usage choices to be effective. Thus, grammar and usage instruction should acknowledge the many varieties of English that exist and address differences in grammatical structure and usage between these varieties in order to help students make purposeful language choices in their writing and speaking.⁸²

For a reader to grasp the meaning of a word, two things must happen: first, the reader's internal representation of the word must be sufficiently complete and well articulated to allow the intended meaning to be known to him or her; second, the reader must understand the context well enough to select the intended meaning from the realm of the word's possible meanings (which in turn depends on understanding the surrounding words of the text). Key to students' vocabulary development is building rich and flexible word knowledge. Students need plentiful opportunities to use and respond to the words they learn through playful informal talk, discussion, reading or being read to, and responding to what is read. Students benefit from instruction about the connections and patterns in language. Developing in students an analytical attitude toward the logic and sentence structure of their texts, alongside an awareness of word parts, word origins, and word relationships, provides students with a sense of how language works such that syntax, morphology, and etymology can become useful cues in building meaning as students encounter new words and concepts.⁸³

Although direct study of language is essential to student progress, most word learning occurs indirectly and unconsciously through normal reading, writing, listening, and speaking.⁸⁴ As students are exposed to and interact with language throughout their school careers, they are able to acquire understandings of word meanings, build awareness of the workings of language, and apply their knowledge to comprehend and produce language. This language strand incorporates these principals and encourages student learning of language skills through all

80 Council of Chief State School Officers (CCSSO) and the National Governors Association (NGA), *Common Core State Standards Initiative, Common Core State Standards for English Language Arts & Literacy in History/Social Studies, Science, and Technical Subjects, Appendix A* (2010), p. 32 (citing Biemiller, A., *Teaching Vocabulary: Early, Direct, and Sequential*, *American Educator*, 25(1), 24–28, 47 (2001); Durkin, D., *What Classroom Observations Reveal About Comprehension Instruction*, *Reading Research Quarterly*, 14, p. 481-533 (1978); Lesaux, N. K., Kieffer, M. J., Faller, S.E., & Kelley, J. G., *The Effectiveness and Ease of Implementing of an Academic English Vocabulary Intervention for Linguistically Diverse Students in Urban Middle Schools*, *Reading Research Quarterly*, 45 p. 196-228 (2010); and Scott, J. & Nagy, W.E., *Understanding the Definitions of Unfamiliar Verbs*, *Reading Research Quarterly*, 32, pp. 184-200 (1997)).

81 Council of Chief State School Officers (CCSSO) and the National Governors Association (NGA), *Common Core State Standards Initiative, Common Core State Standards for English Language Arts & Literacy in History/Social Studies, Science, and Technical Subjects, Appendix A* (2010), p. 32 (citing Landauer, T. K., & Dumais, S. T., *A Solution to Plato's Problem: The Latent Semantic Analysis Theory of Acquisition, Induction, and Representation of Knowledge*, *Psychological Review*, 104, pp. 211–240 (2010); Landauer, T. K., McNamara, D. S., Dennis, S., & Kintsch, W. (Eds.), *Handbook of latent semantic analysis*, (2007); and Nagy, W. E., Herman, P., & Anderson, R. C., *Learning Words From Context*. *Reading Research Quarterly*, 20, pp. 233–253 (1985)).

82 Council of Chief State School Officers (CCSSO) and the National Governors Association (NGA), *Common Core State Standards Initiative, Common Core State Standards for English Language Arts & Literacy in History/Social Studies, Science, and Technical Subjects, Appendix A* (2010), p. 29 (citing Fogel, H., & Ehri, L. C., *Teaching Elementary Students Who Speak Black English Vernacular to Write in Standard English: Effects of Dialect Transformation Practice*, *Contemporary Educational Psychology*, 25, pp. 212–235 (2000). Wheeler, R., & Swords, R., *Code-switching: Tools of Language and Culture Transform the Dialectally Diverse Classroom*, *Language Arts*, 81, pp. 470–480 (2004)).

83 Council of Chief State School Officers (CCSSO) and the National Governors Association (NGA), *Common Core State Standards Initiative, Common Core State Standards for English Language Arts & Literacy in History/Social Studies, Science, and Technical Subjects, Appendix A* (2010), p. 32 (citing Beck, I. L., McKeown, M. G., & Kucan, L., *Creating Robust Vocabulary: Frequently Asked Questions and Extended Examples*. (2008)).

84 Council of Chief State School Officers (CCSSO) and the National Governors Association (NGA), *Common Core State Standards Initiative, Common Core State Standards for English Language Arts & Literacy in History/Social Studies, Science, and Technical Subjects, Appendix A* (2010), p. 32 (citing Miller, G. A., *On Knowing a Word*, *Annual Review of Psychology*, 50, 1–19 (1999) and Nagy, W. E., Anderson, R. C., & Herman, P. A., *Learning Word Meanings From Context During Normal Reading*, *American Educational Research Journal*, 24, 237–270 (1987)).

subject areas and will prepare students to be successful in both academic and professional pursuits.

Subpart 1. Conventions of standard English.

- A. The student will demonstrate command of the conventions of standard English grammar and usage when writing or speaking.*
- B. The student will demonstrate command of the conventions of standard English capitalization, punctuation, and spelling when writing.*

These two standards set out the conventions of English that students must demonstrate to be able to read, speak, and write effectively. These standards are necessary and reasonable because usage knowledge of and understanding about grammar and conventions of writing are essential to articulately communicate thoughts, ideas, and learning applications. Learning the functions and purposes of grammar in standard written English strengthens one's writing and language usage. Grammar is not naturally acquired through any other means than practice and application. In K-12 education it is necessary to prepare students for the demands of college and the workplace both in spoken and written formats. Understanding the conventions of formal English leads to a deeper understanding of our language and gives students the tools necessary to clearly share their thoughts and ideas in postsecondary and professional environments. The committee adopted these standards verbatim from the Common Core State Standards.

Subpart 2. Knowledge of language. *The student will apply knowledge of language to understand how language functions in different contexts, to make effective choices for meaning or style, and to comprehend more fully when reading or listening.*

This standard requires the student to use their language skills to understand the role of language in daily life and how to modify language to fit context and enhance learning. This standard is necessary and reasonable because language learning is part of the metacognitive process. It is essential for students to develop the ability to choose precise words to convey meaning in order to succeed in college, the workplace and within our greater society. The committee adopted this standard verbatim from the Common Core State Standards.

Subpart 3. Vocabulary Acquisition and Use.

- A. The student will determine or clarify the meaning of unknown and multiple-meaning words and phrases by using context clues, analyzing meaningful word parts, and consulting general and specialized reference materials, as appropriate.*

This standard requires students to identify and understand clues about a text through context, words, and reference materials. Expert reviewer, Dr. Michael Graves, stated that "the most prevalent word-learning strategy... is context clues. [T]hey provide students with hints to a word's meaning; and more often still, they give students hints to part of a word's meaning." This standard is necessary and reasonable because vocabulary acquisition and use impacts all areas of literacy development: reading, writing, listening, and speaking. Vocabulary acquisition refers to the need to learn the words we must know and use to communicate effectively. Vocabulary acquisition is developed both directly and indirectly through engaging in regular dialogue and reading widely. Knowing a word is not an all-or-nothing proposition, rather is it the knowledge and conceptual understanding of the meaning, multiple meaning, and nuances of the word that really indicates acquisition. Determining meaning of unknown words through strategic implementation of a variety of tools or resources is a necessary and appropriate skill that prepares students for the demands of domain-specific learning and supports college and career readiness. The committee adopted this standard language verbatim from the Common Core State Standards.

- B. The student will demonstrate understanding of figurative language, word relationships and nuances in word meanings.*

Mastering the nuances of the English language can be difficult for students. Comprehending figurative language, in particular, can be challenging as it is not intended to be interpreted in a literal sense. This standard is necessary and reasonable because figurative language provides students with new ways of conveying meaning and offers endless opportunities for creating connections and expanding meaning. This type of language often compares two things that are different in enough ways so that their similarities, when pointed out, are interesting,

unique and/or surprising. Further, word consciousness and developing a love for word learning is enhanced through instruction of word relationships and development of conceptual understandings. This standard is crucial to developing student literacy because demonstrating understanding of figurative language, word relationships, and the nuances of word meanings enhances communication and prepares students for the demands of college and the work place. The committee adopted this standard verbatim from the Common Core State Standards.

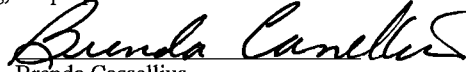
- C. *The student will acquire and use accurately a range of general academic and domain-specific words and phrases sufficient for reading, writing, speaking, and listening at the college and career readiness level and demonstrate independence in gathering vocabulary knowledge when encountering an unknown term important to comprehension or expression.*

This standard requires students to understand context specific words of an academic nature at appropriate levels. It is crucial for students to learn to demonstrate independence and flexibility for gathering vocabulary knowledge through reading, writing, listening, and speaking and to use this range of expressions consistently and with meaning in a variety of academic situations. This standard is necessary and reasonable because this ability prepares students to succeed in post secondary experiences and real-world communications. This standard was adopted verbatim from the Common Core State Standards. Note: The College and Career Readiness (CCR) Anchor Standard for Language listed for K-5 is inconsistent with the CCR Anchor Standard listed for Language for grades 6-12. The Common Core Standards team did not modify this language to be consistent. The language standard listed above is consistent with the anchor standard listed for K-6 grades.

CONCLUSION

Based on the foregoing, the proposed rules are both needed and reasonable.

June 15, 11
Date


Brenda Cassellius
Commissioner, Minnesota Department of Education

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Appendix A

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Minnesota Department of Education

Division of Academic Standards

DUAL NOTICE: Notice of Intent to Adopt Rules Without a Public Hearing Unless 25 or More Persons Request a Hearing, And Notice of Hearing If 25 or More Requests For Hearing Are Received

Proposed Amendment to Rules Governing English Language Arts Academic Standards, Minnesota Rules, 3501.0505-3501.0550

Introduction. The Department of Education intends to adopt rules without a public hearing following the procedures in the rules of the Office of Administrative Hearings, *Minnesota Rules*, parts 1400.2300 to 1400.2310, and the Administrative Procedure Act, *Minnesota Statutes*, sections 14.22 to 14.28. If, however, 25 or more persons submit a written request for a hearing on the rules by 4:30 p.m. on Thursday, September 22, 2011 the Department will hold a public hearing in room CC-14, Minnesota Department of Education, 1500 Highway 36 West, Roseville, Minnesota, 55113, starting at 9:00am on Thursday, October 13, 2011. To find out whether the Department will adopt the rules without a hearing or if it will hold the hearing, you should contact the agency contact person after Thursday, September 22, 2011 and before Thursday, October 13, 2011.

Agency Contact Person. Submit any comments or questions on the rules or written requests for a public hearing to the agency contact person. The agency contact person is: Kerstin Forsythe Hahn at the Department of Education, 1500 Highway 36 West, Roseville, Minnesota, 55113, phone: 651-582-8583, email: Kerstin.forsythe@state.mn.us. TTY users may call the Department of Education at 651-582-8201.

Subject of Rules and Statutory Authority. The proposed rules are about English Language Arts academic standards. Strong academic standards are the foundation of a quality English Language Arts education and these proposed revised standards will improve student achievement and set consistent expectations for learners across the state. Specifically, the revised English Language Arts standards include statutory requirements related to college and career readiness, technology information literacy, and contributions of Minnesota American Indian Tribes and Communities. The proposed standards focus on literacy, including reading, writing, speaking, and listening, as the foundation of knowledge acquisition and understanding. Strong literacy skills are crucial to a student's ability to be work and college ready. These revised standards will also provide a solid foundation for statewide assessments, define statewide graduation requirements, provide guidance for curriculum improvement efforts, and encourage best practices in English Language Arts standards education. The statutory authority to adopt the rules is *Minnesota Statutes*, section 120B.02. A copy of the proposed rules is published in the *State Register* and attached to this notice as mailed.

Comments. You have until 4:30 p.m. on Thursday, September 22, 2011, to submit written comment in support of or in opposition to the proposed rules or any part or subpart of the rules. Your comment must be in writing and received by the agency contact person by the due date. Comments are encouraged. Your comments should identify the portion of the proposed rules addressed, the reason for the comment, and any change proposed. You are encouraged to propose any change that you desire. You must also make any comments about the legality of the proposed rules during this comment period.

Request for a Hearing. In addition to submitting comments, you may also request that the Department hold a hearing on the rules. You must make your request for a public hearing in writing, which the agency contact person must receive by 4:30 p.m. on Thursday, September 22, 2011. You must include your name and address in your written request. In addition, you must identify the portion of the proposed rules that you object to or state that you oppose the entire set of rules. Any request that does not comply with these requirements is not valid and the agency cannot count it when determining whether it must hold a public hearing. You are also encouraged to state the reason for the request and any changes you want made to the proposed rules.

Withdrawal of Requests. If 25 or more persons submit a valid written request for a hearing, the Department will hold a public hearing unless a sufficient number of persons withdraw their requests in writing. If enough requests for hearing are withdrawn to reduce the number below 25, the agency must give written notice of this to all persons who requested a hearing, explain the actions the agency took to affect the withdrawal, and ask for written comments on this action. If a public hearing is required, the agency will follow the procedures in *Minnesota Statutes*, sections 14.131 to 14.20.

Alternative Format/Accommodation. Upon request, this information can be made available in an alternative format, such as large print, braille, or audio. To make such a request or if you need an accommodation to make this hearing accessible, please contact the agency contact person at the address or telephone number listed above.

Modifications. The Department may modify the proposed rules, either as a result of public comment or as a result of the rule hearing process. It must support modifications by data and views submitted to the agency or presented at the hearing. The adopted rules may not be substantially different than these proposed rules unless the Department follows the procedure under *Minnesota Rules*, part 1400.2110. If the proposed rules affect you in any way, the Department encourages you to participate in the rulemaking process.

Cancellation of Hearing. The Department will cancel the hearing scheduled for Thursday, October 13, 2011, if the agency does not receive requests for a hearing from 25 or more persons. If you requested a public hearing, the agency will notify you before the scheduled hearing whether the hearing will be held. You may also call the agency contact person at 651-582-8583 after Thursday, September 22, 2011 to find out whether the hearing will be held.

Notice of Hearing. If 25 or more persons submit valid written requests for a public hearing on the rules, the Department will hold a hearing following the procedures in *Minnesota Statutes*, sections 14.131 to 14.20. The Department will hold the hearing on the date and at the time and place listed above. The hearing will continue until all interested persons have been heard. Administrative Law Judge Barbara Neilson is assigned to conduct the hearing. Judge Neilson can be reached at the Office of Administrative Hearings, 600 North Robert Street, P.O. Box 64620, Saint Paul, Minnesota 55164-0620, telephone 651-361-7845, and FAX 651-361-7936.

Hearing Procedure. If the Department holds a hearing, you and all interested or affected persons, including representatives of associations or other interested groups, will have an opportunity to participate. You may present your views either orally at the hearing or in writing at any time before the hearing record closes. All evidence presented should relate to the proposed rules. You may also submit written material to the Administrative Law Judge to be recorded in the hearing record for five working days after the public

hearing ends. At the hearing the Administrative Law Judge may order that this five-day comment period is extended for a longer period but not more than 20 calendar days. Following the comment period, there is a five-working-day rebuttal period when the agency and any interested person may respond in writing to any new information submitted. No one may submit additional evidence during the five-day rebuttal period. The Office of Administrative Hearings must receive all comments and responses submitted to the Administrative Law Judge no later than 4:30 p.m. on the due date. All comments or responses received will be available for review at the Office of Administrative Hearings. This rule hearing procedure is governed by *Minnesota Rules*, parts 1400.2000 to 1400.2240, and *Minnesota Statutes*, sections 14.131 to 14.20. You may direct questions about the procedure to the Administrative Law Judge.

The agency requests that any person submitting written views or data to the Administrative Law Judge before the hearing or during the comment or rebuttal period also submit a copy of the written views or data to the agency contact person at the address stated above.

Statement of Need and Reasonableness. The statement of need and reasonableness summarizes the justification for the proposed rules, including a description of who will be affected by the proposed rules and an estimate of the probable cost of the proposed rules. It is now available from the agency contact person. You may review or obtain copies for the cost of reproduction by contacting the agency contact person. The SONAR is also available on the department website at: <http://education.state.mn.us/MDE/Legislation/Rulemaking/index.html>.

Lobbyist Registration. *Minnesota Statutes*, chapter 10A, requires each lobbyist to register with the State Campaign Finance and Public Disclosure Board. Ask any questions about this requirement of the Campaign Finance and Public Disclosure Board at: Suite #190, Centennial Building, 658 Cedar Street, St. Paul, Minnesota 55155, telephone 651-296-5148 or 1-800-657-3889.

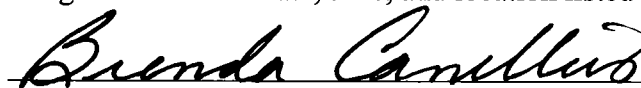
Adoption Procedure if No Hearing. If no hearing is required, the agency may adopt the rules after the end of the comment period. The Department will submit the rules and supporting documents to the Office of Administrative Hearings for review for legality. You may ask to be notified of the date the rules are submitted to the office. If you want either to receive notice of this, to receive a copy of the adopted rules, or to register with the agency to receive notice of future rule proceedings, submit your request to the agency contact person listed above.

Adoption Procedure After a Hearing. If a hearing is held, after the close of the hearing record, the Administrative Law Judge will issue a report on the proposed rules. You may ask to be notified of the date that the Administrative Law Judge's report will become available, and can make this request at the hearing or in writing to the Administrative Law Judge. You may also ask to be notified of the date that the agency adopts the rules and the rules are filed with the Secretary of State by requesting this at the hearing or by writing to the agency contact person stated above.

Order. I order that the rulemaking hearing be held at the date, time, and location listed above.

8-15-11

Date



Name/Commissioner