



To: Local School Boards, Superintendents, High School Principals, Charter School Directors, Curriculum Directors, and High School Guidance Counselors

From: Dr. Brenda Cassellius, Commissioner
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Topic: Rigorous Course Waiver for Students
Department of Education Guidance to School Boards

Current law provides authority for local school boards to grant a rigorous course of study waiver (Minn. Stat. § 120B.021, Subd. 1(a)). Local school boards may grant a rigorous course of study waiver for a student who satisfactorily completes a rigorous course that meets or exceeds the corresponding academic standards required by law for high school graduation in Minnesota, and who would be precluded from participating in the rigorous course if the student were not waived from taking the required academic standard.

Background Information about Standards Requirements

The following lists current requirements in statute that are relevant to the rigorous course waiver.

- All schools are required to embed the standards into the curriculum so that every student satisfactorily completes all required state and local academic standards and benchmarks (Minn. Stat. §§ 120B.021; 120B.023, Subd. 1(a); 120B.024).
- Upon receiving a student's application for a rigorous course waiver signed by the student's parent or guardian, a school district, area learning center, or charter school must declare that a student meets or exceeds a specific academic standard required for graduation if the local school board, the school board of the school district in which the area learning center is located, or the charter school board of directors determines that the student meets specified requirements.
- A student who satisfactorily completes a postsecondary enrollment options course or program under section 124D.09 (Postsecondary Enrollment Options Act), or an advanced placement or international baccalaureate course or program under section 120B.13, is not required to complete other requirements of the standards corresponding to that specific rigorous course of study.

Current statute on rigorous course waivers

Before a school board can approve the rigorous course waiver for a student, the law specifies that *all three of the following requirements must be met*:

1. The student is participating in a course of study, learning opportunity outside the district or school curriculum, or an approved employment preparatory program for

- employment or postsecondary education that is equally or more rigorous than the corresponding state or local academic standard; and
2. The student would be precluded from participating in the rigorous course of study if the student were required to achieve the academic standard to be waived; and
 3. The student satisfactorily completes the requirements for the rigorous course of study learning opportunity, or preparatory employment or postsecondary education program.

The goal is to adhere to the statutory requirement for the student's comprehensive education in all of the academic content standards while also providing reasonable flexibility with the mandates so that students have the opportunity to participate in International Baccalaureate (IB), Advanced Placement (AP), College in the Schools (CIS)/Concurrent Enrollment, Postsecondary Enrollment Options (PSEO), and other rigorous learning opportunities within or outside of the school curriculum. (See Attachment A: Minnesota 2012 Statutes, section 120B.021.)

Examples of correspondence with AP, IB, PSEO and concurrent enrollment courses

The waiver conditions apply when the rigorous course and the academic standards *correspond*, such as when they represent the same discipline (for example, U.S History standards waived for AP American History). See Attachment B for a chart that provides more examples of rigorous courses that correspond to state standards.

Decisions to be made by local school boards

Many rigorous course waiver requests involve student study that falls outside the specific course titles listed in the chart in Attachment B. For example, particular courses and learning opportunities associated with career and technical education (CTE) may meet the requirements of the rigorous course waiver. It is the responsibility of the local school board to determine if other rigorous courses of study, or learning opportunities outside the curriculum of the school or district, or approved preparatory programs for employment or postsecondary education, are each equally or more rigorous than the corresponding state or local academic standard required for students, and whether or not a student who takes the rigorous study should be precluded from taking the required academic standards. The local school board retains responsibility for adherence to the law when determining whether particular rigorous educational experiences qualify for a waiver from required academic standards.

Local school board waiver procedures

In situations where it is determined that students have met all three required conditions and should be waived from the corresponding required academic standards, we recommend that the local school board, the school board of the school district in which the area learning center is located, or charter school board of directors should pass a resolution requiring the following:

1. An official determination that both of the following two conditions exist for a preliminary approval:
 - A. The student is participating in a course including AP or IB, or learning opportunity outside the curriculum that is equally or more rigorous than the corresponding state or local academic standard(s), and

- B. Achieving the standard(s) to be waived would preclude the student from participating in the rigorous course or learning opportunity.
2. An official determination that the third condition must also be satisfied in order to receive final approval:
 - A. The student must provide documentation of successful passage of the rigorous course, and
 - B. This written documentation must be received by a certain date in order to qualify for the final approval waiver.
3. A letter to be signed and dated by the student's parents or guardians and placed in the student's cumulative folder stating the following:

"I have reviewed the academic standards that will be waived if my child satisfactorily completes (fill in name of rigorous course or learning opportunity outside of the curriculum) and hereby provide my consent for the waiver to be considered by the school board."

For more information

Questions about academic standards, AP/IB, Career and Technical Education, PSEO and concurrent enrollment can be directed to the following staff at the Minnesota Department of Education:

- **AP/IB**
Jacqui McKenzie; jacqui.mckenzie@state.mn.us; 651-582-8852
- **Arts**
Jeff Pridie; jeff.pridie@pcae.k12.mn.us; 763-279-4179
- **Career and Technical Education**
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- **Health and Physical Education**
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- **Language Arts**
Charon Tierney; charon.tierney@state.mn.us; 651-582-8643
- **Math**
Susan Wygant; susan.wygant@state.mn.us; 651-582-8581
- **PSEO and Concurrent Enrollment**
Sally Wherry; sally.wherry@state.mn.us; 651-582-8768
- **Science**
John Olson; john.c.olson@state.mn.us; 651-582-8673
- **Reading**
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- **Social Studies**
Megan Gately; megan.gately@state.mn.us; 651-582-8294
- **World Languages**

Ursula Lentz; ursula.lentz@state.mn.us; 651-582-8664

Attachment A: Minnesota 2012 Statutes, section 120B.021

Attachment B: Examples of Correspondence with AP, IB, PSEO and Concurrent Enrollment Courses

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ATTACHMENT A: Minnesota 2012 Statutes, section 120B.021

120B.021 REQUIRED ACADEMIC STANDARDS.

Subdivision 1. Required academic standards.

The following subject areas are required for statewide accountability:

- (1) language arts;
- (2) mathematics;
- (3) science;
- (4) social studies, including history, geography, economics, and government and citizenship;
- (5) physical education;
- (6) health, for which locally developed academic standards apply; and
- (7) the arts, for which statewide or locally developed academic standards apply, as determined by the school district. Public elementary and middle schools must offer at least three and require at least two of the following four arts areas: dance; music; theater; and visual arts. Public high schools must offer at least three and require at least one of the following five arts areas: media arts; dance; music; theater; and visual arts.

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

For purposes of applicable federal law, the academic standards for language arts, mathematics, and science apply to all public school students, except the very few students with extreme cognitive or physical impairments for whom an individualized education program team has determined that the required academic standards are inappropriate. An individualized education program team that makes this determination must establish alternative standards.

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

The commissioner 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.

Subd. 1a. Rigorous course of study; waiver.

(a) Upon receiving a student's application signed by the student's parent or guardian, a school district, area learning center, or charter school must declare that a student meets or exceeds

a specific academic standard required for graduation under this section if the local school board, the school board of the school district in which the area learning center is located, or the charter school board of directors determines that the student:

(1) is participating in a course of study, including an advanced placement or international baccalaureate course or program; a learning opportunity outside the curriculum of the district, area learning center, or charter school; or an approved preparatory program for employment or postsecondary education that is equally or more rigorous than the corresponding state or local academic standard required by the district, area learning center, or charter school;

(2) would be precluded from participating in the rigorous course of study, learning opportunity, or preparatory employment or postsecondary education program if the student were required to achieve the academic standard to be waived; and

(3) satisfactorily completes the requirements for the rigorous course of study, learning opportunity, or preparatory employment or postsecondary education program.

Consistent with the requirements of this section, the local school board, the school board of the school district in which the area learning center is located, or the charter school board of directors also may formally determine other circumstances in which to declare that a student meets or exceeds a specific academic standard that the site requires for graduation under this section.

(b) A student who satisfactorily completes a postsecondary enrollment options course or program under section [124D.09](#), or an advanced placement or international baccalaureate course or program under section [120B.13](#), is not required to complete other requirements of the academic standards corresponding to that specific rigorous course of study.

Subd. 2. Standards development.

(a) The commissioner must consider advice from at least the following stakeholders in developing statewide rigorous core academic standards in language arts, mathematics, science, social studies, including history, geography, economics, government and citizenship, and the arts:

(1) parents of school-age children and members of the public throughout the state;

(2) teachers throughout the state currently licensed and providing instruction in language arts, mathematics, science, social studies, or the arts and licensed elementary and secondary school principals throughout the state currently administering a school site;

(3) currently serving members of local school boards and charter school boards throughout the state;

(4) faculty teaching core subjects at postsecondary institutions in Minnesota; and

(5) representatives of the Minnesota business community.

(b) Academic standards must:

(1) be clear, concise, objective, measurable, and grade-level appropriate;

(2) not require a specific teaching methodology or curriculum; and

(3) be consistent with the Constitutions of the United States and the state of Minnesota.

Subd. 3. Rulemaking.

The commissioner, consistent with the requirements of this section and section 120B.022, must adopt statewide rules under section 14.389 for implementing statewide rigorous core academic standards in language arts, mathematics, science, social studies, and the arts. After the rules authorized under this subdivision are initially adopted, the commissioner may not amend or repeal these rules nor adopt new rules on the same topic without specific legislative authorization. The academic standards for language arts, mathematics, and the arts must be implemented for all students beginning in the 2003-2004 school year. The academic standards for science and social studies must be implemented for all students beginning in the 2005-2006 school year.

History:

2003 c 129 art 1 s 3; 2004 c 294 art 2 s 2; art 5 s 1; art 6 s 1; 1Sp2005 c 5 art 2 s 5; 2006 c 263 art 2 s 2; 2007 c 146 art 2 s 3; 2010 c 396 s 1; 1Sp2011 c 11 art 3 s 12

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ATTACHMENT B: Examples of Correspondence with AP, IB, PSEO and Concurrent Enrollment Courses

The waiver conditions apply when the rigorous course and the academic standards correspond, such as when they represent the same discipline (for example, U.S History standards waived for AP American History). The following chart identifies *some* of the more common rigorous courses/subjects that clearly equal or exceed the rigor of the corresponding state academic standards.

Rigorous Course	Corresponding State Standards for which waivers are recommended if the student satisfactorily meets the other two conditions listed in the law
AP American History	U.S. History and Historical Skills
AP European History (1450-present)	World History and Historical Skills
AP Micro or AP Macroeconomics	Economics
AP American Government	Government and Citizenship
AP Chemistry or AP Physics	Chemistry or Physics
IB History (History of the Americas)	U.S. History and Historical Skills
IB Geography	Geography
IB Biology	Biology
IB Environmental Systems	Earth and Space Science
PSEO Economics	Economics
PSEO Biology	Biology
PSEO American History	U.S. History
Concurrent Enrollment (CIS) Macroeconomics	Economics
Concurrent Enrollment (CIS) World History	World History and Historical Skills

Examples of Possible Insufficient Correspondence with AP and IB Courses

The waiver conditions are not met when the rigorous course and particular academic standards represent entirely different content areas. Some examples of insufficient correspondence are:

- AP American History does not qualify a student to be waived from Earth and Space Science standards.
- PSEO American History does not qualify a student to be waived from Economics
- IB Biology does not qualify a student to be waived from Economics standards.
- Concurrent Enrollment Statistics does not qualify a student to be waived from Physics.