



Minnesota Department of Education's Role in Addressing the Achievement Gap

2022
EVALUATION REPORT

Program Evaluation Division
OFFICE OF THE LEGISLATIVE AUDITOR
STATE OF MINNESOTA

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OFFICE OF THE LEGISLATIVE AUDITOR

STATE OF MINNESOTA • Judy Randall, Legislative Auditor

March 2022

Members of the Legislative Audit Commission:

Minnesota has some of the nation’s largest “achievement gaps”—disparities in academic achievement between students from different demographic groups. Although school districts and charter schools are responsible for educating Minnesota students, the Minnesota Department of Education (MDE) oversees education in the state. This includes the administration of four statewide K-12 education initiatives intended to address the achievement gap.

We found that Minnesota law does not clearly define “achievement gap,” how it should be measured, or MDE’s role in addressing it. We identified concerns related to MDE’s oversight of school districts’ and charter schools’ progress, and we think that the state could improve the support it provides to school districts and charter schools as they work to address their achievement gaps. We make several recommendations to the department and to the Legislature.

Our evaluation was conducted by Sarah Delacueva (project manager), Kelly Lehr, and Caitlin Zanoni-Wells. The Minnesota Department of Education cooperated fully with our evaluation, and we thank them for their assistance.

Sincerely,

A handwritten signature in black ink that reads "Judy Randall".

Judy Randall
Legislative Auditor



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Summary

Minnesota Department of Education's Role in Addressing the Achievement Gap

The Legislature should better define the Minnesota Department of Education's (MDE's) role in addressing the achievement gap and clarify certain provisions in statute. MDE should improve its administration of various initiatives related to the achievement gap.

Key Findings

- Minnesota law does not clearly define “achievement gap,” how it should be measured, or MDE’s role in addressing it. (pp. 15, 16)
- Some statutory requirements related to achievement gap initiatives are unclear or impractical. (pp. 29, 38, 40)
- Contrary to statutory requirements, MDE has not annually monitored school district and charter school progress toward their World’s Best Workforce goals, including reducing the achievement gap. (p. 28)
- MDE has not developed—nor does it typically help districts develop—improvement plans when districts fail to reach their Achievement and Integration goals, such as reducing the achievement gap. (p. 39)
- MDE does not have a strategic plan specific to American Indian education that addresses the achievement gap. (p. 46)
- The Regional Centers of Excellence have had a positive impact on the schools with which they partner, many of which have reduced their achievement gaps. (p. 53)

Key Recommendations

- The Legislature should consider amending Minnesota statutes to more explicitly define the term “achievement gap” and MDE’s responsibilities related to the achievement gap. (pp. 20, 21)
- The Legislature should revise certain statutes to establish more practical timelines and clearer expectations for MDE. (pp. 31, 39, 41)
- MDE should annually monitor—and report to the Legislature—districts’ and charter schools’ progress toward closing the achievement gap and other World’s Best Workforce goals. (p. 31)
- MDE should take a more active role in developing improvement plans when districts do not meet their Achievement and Integration goals, including reducing their achievement gaps. (p. 41)
- MDE should develop a strategic plan for American Indian education that includes approaches to reduce the achievement gap. (p. 49)
- The Legislature should consider making the services of the Regional Centers of Excellence more widely available as a way to help address the achievement gap. (p. 56)

Background

The “achievement gap” is the difference in academic achievement or educational outcomes among different groups of students. Such disparities may exist between students of different races, ethnicities, or socioeconomic statuses, among others. Minnesota’s achievement gaps are some of the largest in the nation.

Although school districts and charter schools are responsible for educating Minnesota students, MDE oversees education in the state. This includes the administration of statewide initiatives intended to address the achievement gap.

We evaluated MDE’s oversight and administration of four initiatives that include addressing the achievement gap among their statutory goals:

- (1) World’s Best Workforce
- (2) Achievement and Integration for Minnesota
- (3) American Indian Education
- (4) Regional Centers of Excellence

Report Summary

State law does not define “achievement gap” or MDE’s role in addressing it.

Minnesota statutes do not contain a single, clear definition of “achievement gap.” For some initiatives, statutes specify groups of students among whom performance should be compared, but none explain how disparities between the student groups should be measured. Further, while the statutes authorizing each of the four initiatives we examined mention closing the achievement gap as a goal, only the American Indian education statutes assign MDE specific responsibilities with respect to the achievement gap. We recommend that the Legislature consider amending statutes to clearly define “achievement gap” and MDE’s role in addressing it.

Because MDE’s responsibilities to address the achievement gap are not clearly defined in state law, we evaluated MDE’s administration of four education initiatives more broadly: (1) World’s Best Workforce, (2) Achievement and Integration for Minnesota, (3) American Indian education, and (4) Regional Centers of Excellence.

The Legislature should revise problematic statutory provisions.

A number of statutory provisions related to the World’s Best Workforce and Achievement and Integration initiatives are unclear or establish impractical requirements. For example, World’s Best Workforce statutes require MDE to determine whether school districts and charter schools are making “sufficient progress” in improving teaching, student learning, and creating the world’s best workforce. The statutes do not, however, define “sufficient progress” or explain how MDE should measure it. We recommend that the Legislature clarify the meaning of this phrase in statute.

Achievement and Integration statutes require that MDE determine whether school districts have met the goals in their three-year Achievement and Integration plans by August 1 after the final school year of the plan. This deadline is impractical as it allows very little time (typically less than two months) for school districts to report their results to MDE and for the department to review them. Also,

many school districts base some of their achievement goals on the results of Minnesota Comprehensive Assessments, which typically are not released to districts until August. We recommend that the Legislature amend statutes to establish an evaluation timeline that is more feasible for both school districts and MDE.

MDE has not annually monitored school district and charter school progress as required under World’s Best Workforce.

World’s Best Workforce is a broad initiative with five statutory goals. These goals—which include closing the achievement gap and increasing graduation rates, among others—encompass much of what MDE, school districts, and charter schools do to educate students.

While statutes do not define “sufficient progress,” MDE has not satisfied a statutory requirement to *annually* determine whether school districts and charter schools are making progress in creating the world’s best workforce. Nor has the department listed the districts and charter schools that failed to meet their goals in its annual World’s Best Workforce report to the Legislature, despite requirements in law to do so. We recommend that MDE annually monitor school districts’ and charter schools’ progress toward their World’s Best Workforce goals—including closing the achievement gap—and report the results to the Legislature, as required by statutes.

MDE has not taken a sufficiently active role in improvement planning when school districts do not meet their Achievement and Integration goals.

The Achievement and Integration program provides state funding to participating school districts, which must develop a three-year plan to increase integration and close their achievement gaps. School districts are required to participate if (1) their districtwide proportions of “protected students” (students who do not identify as non-Hispanic white) greatly exceed the proportions of protected students in a neighboring district, or (2) particular schools within the district have significantly more protected students than other district schools. Other districts may participate on a voluntary basis.

At the conclusion of a three-year plan cycle, MDE determines whether school districts have met the goals in their Achievement and Integration plans. Contrary to what statutes require, MDE does not develop “improvement plans” for districts that have not met their goals. We recommend that the Legislature shift the primary responsibility for improvement planning to the districts. However, we also think that MDE should take a more active role in helping school districts develop their Achievement and Integration improvement plans.

MDE lacks a strategic plan specific to American Indian education.

Minnesota statutes require MDE to develop a strategic plan for American Indian education. This plan must include five goals, one of which is to close the achievement gap between American Indian students and “their more advantaged peers.” MDE has engaged in some strategic planning activities and has included broad goals for American Indian education in its department-wide strategic plan. However, MDE has not developed a strategic plan that addresses the unique circumstances surrounding American Indian education. We recommend that MDE develop a strategic plan with goals specific to American Indian education.

The Regional Centers of Excellence provide useful support for schools.

The Regional Centers of Excellence have successfully helped some schools address their achievement gaps. Minnesota’s six regional centers are operated by regional service organizations and are staffed by nonstate employees who provide ongoing support tailored to individual schools. To be eligible to work with the regional centers, a school must be identified by MDE as being among the lowest-performing schools with respect to factors such as graduation rates and student performance on standardized math and reading tests.

While the regional centers are not part of MDE, the department supports them in various ways, as required by statutes. The school district superintendents and charter school directors we surveyed shared many positive comments about the regional centers and the support they provide. We recommend that the Legislature consider expanding school district access to the regional centers.

Summary of Agency Response

In a letter dated March 2, 2022, Minnesota Department of Education Commissioner Heather Mueller wrote that she “appreciates the time and effort that was put into the review” of the World’s Best Workforce, Achievement and Integration for Minnesota, American Indian education, and Regional Centers of Excellence programs. She noted that the department “has a responsibility to address the systemic structures, processes, and barriers that have resulted in persistent achievement gaps” and commented that the report does not encompass the full extent of MDE’s work supporting public schools in addressing their achievement gaps. The commissioner said she believes “the report is missing key context” about program funding and the constraints on the department’s ability to reallocate funding to specific programs. She noted that the department disagrees with OLA’s interpretation of state law regarding the requirements of (1) MDE’s World’s Best Workforce review of school districts and (2) the strategic plan for American Indian education. The commissioner thanked OLA for its acknowledgement of the department’s “leadership of the Regional Centers of Excellence (RCE) in partnership with the Minnesota Service Cooperatives.” She stated that the report shows that MDE is most helpful to school districts and charter schools when the department is “able to live in the areas of leadership, partnership, and support, and not solely in the areas of accountability and compliance,” and that the department hopes the review of these programs “will help MDE better serve Minnesota’s public schools, our students and their families.”



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Introduction

Minnesota has some of the nation’s largest disparities in academic achievement between students from different demographic groups. This “achievement gap” has long been a concern for policy makers, educators, and others. The Minnesota Department of Education (MDE) is the state agency that oversees Minnesota public school districts and charter schools as they seek to eliminate the achievement gap.

In June 2021, the Legislative Audit Commission directed the Office of the Legislative Auditor (OLA) to evaluate MDE’s role in addressing the achievement gap. In our evaluation, we addressed the following questions:

- **To what extent does state law require MDE to address and assess the achievement gap, and does MDE comply with these laws?**
- **To what extent has MDE been effective in assisting school districts and charter schools with reducing their achievement gaps through its administration of four specific K-12 education initiatives?**

To conduct this evaluation, we reviewed Minnesota statutes and rules to determine what responsibilities state law assigns MDE with respect to the achievement gap. As a result of our review, we focused our evaluation on four K-12 education initiatives: (1) World’s Best Workforce, (2) Achievement and Integration for Minnesota, (3) American Indian education, and (4) Regional Centers of Excellence.

We conducted interviews with MDE administrators and staff who oversee these four initiatives. In addition, we spoke with former MDE commissioners, directors of the Regional Centers of Excellence, members of the Tribal Nations Education Committee, and representatives of public school districts and charter school associations, among other stakeholders. We also surveyed all school district superintendents and charter school directors about their experiences working with MDE to address the achievement gap.¹

We conducted a file review of documents related to MDE’s administration of the Achievement and Integration program. We also reviewed mandated reports that MDE submits to the Legislature, as well as internal documents related to certain initiatives. Finally, we conducted a literature review to learn more about how the achievement gap is defined and measured, and how Minnesota’s achievement gap compares with those in other states.

We focused our evaluation narrowly on MDE’s statutory responsibilities with respect to the four initiatives we identified. We did not analyze or evaluate school district or charter school performance, nor did we conduct our own analysis of MDE data to determine the size of the achievement gap. We relied on existing published sources when reporting on the extent of Minnesota’s achievement gap. Further, we did not evaluate root causes (such as poverty or access to opportunities) that may result in achievement disparities, nor did we attempt to determine the effectiveness of any particular strategies that school districts and charter schools may have used to reduce their achievement gaps.

¹ We received responses from 372 (75 percent) of the school district and charter school leaders surveyed.



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Chapter 1: Background

On average, Minnesota students compare favorably with those in other states when it comes to graduation rates, college readiness, and performance on standardized tests. Hidden within those averages, however, are large disparities by race, ethnicity, and socioeconomic status. In Minnesota, students who are non-Hispanic White and from higher-income families have persistently outperformed students of other races or ethnicities, English learners, and students who are eligible for free or reduced-price lunch. These disparities are what is often referred to as the achievement gap, namely the difference in academic achievement or educational outcomes among different groups of students.

In this chapter, we provide historical background on the achievement gap and explain how it is defined and measured. We then give a brief overview of Minnesota's education system and introduce the areas where the Minnesota Department of Education (MDE) has explicit responsibilities related to the achievement gap.

Achievement Gap Background

Historical Background

Minnesota has had long-standing academic achievement gaps, despite efforts by MDE, school districts, and charter schools to implement policies designed to close them. Minnesota has been a leader in implementing policies that support equal opportunities for education. For example, Minnesota approved open enrollment in the late 1980s, becoming the first state in the nation to do so.¹ A few years later, it became the first state to authorize charter schools, which were initially conceived as laboratories for innovative education models that might address the achievement gap.² Despite these and other initiatives, Minnesota's achievement gaps have persisted.

In 1965, President Lyndon Johnson signed into law the Elementary and Secondary Education Act as part of the War on Poverty campaign. The law's purpose was to improve educational opportunity for students from lower-income families. It did so by providing federal funds to school districts serving those students.³ Congress has reauthorized the act eight times, including in 2001 as the No Child Left Behind Act (NCLB), which was replaced with the Every Student Succeeds Act (ESSA) in 2015.⁴

¹ Open enrollment allows students and their families access to schools that are not within their resident district. The Minnesota Legislature passed a law in 1987 permitting certain students age 12 and older to attend schools outside of their resident districts. *Laws of Minnesota* 1987, chapter 398, art. 8, sec. 15, codified as *Minnesota Statutes* 2021, 124D.68. In 1988, the Legislature extended open enrollment to additional Minnesota students. *Laws of Minnesota* 1988, chapter 718, art. 7, sec. 8, codified as *Minnesota Statutes* 2021, 124D.03.

² *Laws of Minnesota* 1991, chapter 265, art. 9, sec. 3, codified within *Minnesota Statutes* 2021, Chapter 24E.

³ Elementary and Secondary Education Act of 1965, Public Law 89-10, codified as 20 *U.S. Code*, secs. 6301-6578 (2020).

⁴ No Child Left Behind Act (NCLB) of 2001, Public Law 107-110, and Every Student Succeeds Act (ESSA) of 2015, Public Law 114-95, codified as 20 *U.S. Code*, secs. 6301-6578 (2020).

NCLB focused on closing academic gaps for children who were underperforming in schools.⁵ The act contained heightened accountability measures for schools and required reporting on the academic performance of specific student groups, including students from major racial and ethnic groups, students from economically disadvantaged families, and students with disabilities.



Under ESSA, states must:

- Measure student performance in reading, math, and science
- Develop a “State Report Card” that provides parents with information on statewide test performance, graduation rates, and student attendance, among other things
- Identify certain low-performing schools and provide them with comprehensive support
- Report how much money, on average, they spend per student

— U.S. Department of Education,
Office of Elementary and
Secondary Education

Current Federal Requirements

ESSA is the current incarnation of the Elementary and Secondary Education Act. ESSA provides several different funding streams—the largest of which is Title I, Part A—to support different groups of academically disadvantaged students. Under ESSA, states must have a statewide accountability system that will help give all children the chance to receive an equitable and high-quality education, and help states close educational achievement gaps. The box at left lists the required elements of the state accountability system. As a key part of their accountability systems, states must identify and assist low-performing Title I schools and high schools with low graduation rates.⁶

ESSA requires states to assess school performance overall, as well as within certain subgroups: (1) students who are economically disadvantaged, (2) students from major racial and ethnic groups, (3) students with disabilities, and (4) English learners.⁷ States must then assist the identified low-performing Title I schools as they implement plans to improve student outcomes. Generally, states must set aside 7 percent of their Title I, Part A, dollars to assist identified schools.⁸



With a few additional considerations, a school is eligible to receive federal **Title I funding** if the school's percentage of students who are eligible for free or reduced-price lunch is greater than the districtwide average of eligible students.

⁵ For more information on the No Child Left Behind Act, see Office of the Legislative Auditor, Program Evaluation Division, *No Child Left Behind* (St. Paul, 2004).

⁶ In 2018, MDE identified approximately 200 schools to receive ongoing, onsite technical assistance from the Regional Centers of Excellence (discussed in Chapter 6). These included (1) schools that are among the 5 percent lowest-performing Title I schools in Minnesota, as measured by academic proficiency, academic growth, and consistent attendance; and (2) public high schools (Title I or otherwise) with four-year graduation rates below 67 percent (overall or for any student group). MDE identified approximately 160 additional low-performing schools which were either (1) any school with particular student groups that performed below MDE's thresholds for academic achievement, academic growth, and consistent attendance or (2) Title I schools that were low on just test-based and graduation indicators. Those schools then received support from their districts and professional development opportunities from the Regional Centers of Excellence.

⁷ *Minnesota Statutes* 2021, 124D.59, subd. 2, define an English learner as a student who uses a language other than English and is determined to lack the necessary language skills to fully participate in classes taught in English.

⁸ Every Student Succeeds Act (ESSA) of 2015, 20 *U.S. Code*, sec. 6303(a)-(b) (2020). In state Fiscal Year 2022, Minnesota received more than \$179 million in Title I, Part A, funding, nearly \$9 million of which it distributed to the Regional Centers of Excellence to support schools identified under ESSA.

Achievement Gap Definition and Contributing Factors

The “achievement gap” is generally defined as the difference in academic achievement or educational outcomes among different groups of students.

The definition of “achievement gap,” relies on two key components: (1) which groups of students are being compared, and (2) what specific outcomes are being measured. Our review of academic literature showed that researchers most often reference outcome gaps that are associated with racial, ethnic, and socioeconomic differences among students. Though less frequent, some of the literature also discusses gaps associated with students’ gender, disability, or English language proficiency. The measurements used to assess the achievement gap often include national or state-specific standardized tests in math and reading, as well as college entrance exams, graduation rates, grade point average, and enrollment in advanced coursework. We discuss the extent to which Minnesota statutes define the achievement gap in Chapter 2.



Factors associated with educational achievement include:

School-related factors

- Curriculum rigor
- Teacher preparation
- Teacher experience
- Teacher absence and turnover
- Class size
- Availability of instructional technology
- Students’ sense of fear or safety at school

External factors

- Parental involvement in children’s schooling
- Student mobility
- Birth weight
- Environmental damage (such as lead exposure)
- Hunger and nutrition
- Talking and reading to young children
- Amount of television watching
- One- versus two-parent families
- Summer achievement gain/loss

— Paul E. Barton and Richard J. Coley,
Parsing the Achievement Gap II, 2009

There are many factors associated with students’ educational achievement, some of which are within the control of a school system, and some of which are not. One report we reviewed summarized research about these factors, listed in the box at left.⁹

The authors, whose report synthesized a large and disparate body of research on the achievement gap, argue that gaps in the life experiences among students with different socioeconomic statuses, races, and ethnicities correlate with their achievement gaps in school. For example, if a student’s basic needs are not being met, it can be difficult to focus on instruction. This, in turn, could negatively impact how well the student performs on standardized tests. Students identified as needing additional instructional support may be pulled out of class more frequently and miss other opportunities, such as art or music classes, further impacting their overall educational experience.

The question of root causes of low academic performance informs a debate about terminology. Some people use the term “opportunity gap”

interchangeably with “achievement gap.” Many others consider the two concepts to be distinct. For example, one report defines “opportunity gap” as “gaps in the availability of opportunities, resources, and experiences that contribute to a student’s school

⁹ Paul E. Barton and Richard J. Coley, *Parsing the Achievement Gap II* (Princeton, NJ: Educational Testing Service, 2009), 3-4.

success.”¹⁰ While we acknowledge this debate, we use the term “achievement gap” throughout this report to best reflect the language that is currently dominant in Minnesota statutes.

Measuring the Achievement Gap

While there are multiple ways to measure the achievement gap (such as by analyzing differences in graduation rates or enrollment in advanced classes), one of the most widely recognized ways to measure disparities is with standardized testing. In this section, we briefly explain one prominent national assessment, as well as standardized tests specific to Minnesota.

The National Assessment of Educational Progress (NAEP) is known as “The Nation’s Report Card.” The NAEP is a series of standardized tests that measure students’ knowledge of various subjects, including reading and math. Federal law requires that public school districts that receive Title I funds participate, if selected, in the NAEP reading and math assessments in grades 4 and 8.¹¹ NAEP results allow Minnesota to compare its students’ performance with that of students in other states and the nation as a whole. The results also (1) show how student performance has changed over time and (2) help identify national and state-level disparities in achievement between different groups of students. NAEP data are reported in aggregate for the state and for demographic groups; results are not reported for individual districts, schools, or students.

Many states also administer their own standardized tests, which they use to measure student achievement within their jurisdiction. In Minnesota, most students take the Minnesota Comprehensive Assessments (MCA), while students who receive special education services and meet certain eligibility requirements may otherwise take the Minnesota Test of Academic Skills (MTAS). Both statewide tests meet federal and state student assessment requirements. School districts and charter schools may use the assessments to help measure student progress toward Minnesota’s academic standards. All Minnesota public schools must administer the MCA and MTAS in reading and math for grades 3 through 8 and high school. MDE publicly reports test results aggregated by student groups, schools, and school districts.¹²

Minnesota’s Achievement Gap

Minnesota has substantial academic achievement gaps among students from different demographic groups. Exhibit 1.1 illustrates the differences among groups of Minnesota students in performance on two particular NAEP tests administered in 2019. During

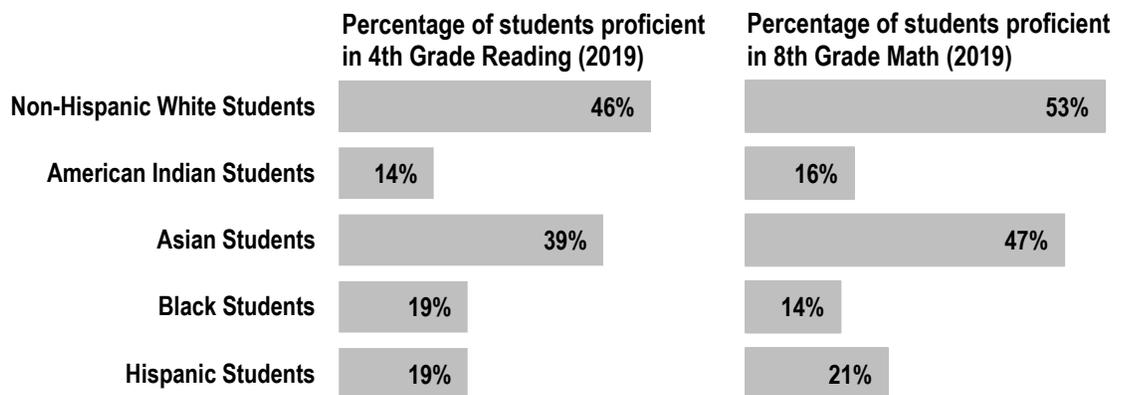
¹⁰ Hanover Research, *School-Based Strategies for Narrowing the Achievement Gap* (Arlington, VA, 2017), 5.

¹¹ NAEP assessments are administered at a representative sample of schools that reflect the demographic and geographic diversity of students throughout the nation. Although federal law requires that all schools that receive Title I funds administer certain NAEP assessments if selected as part of the sample, participation is voluntary for the students who are randomly selected to participate within each school. National Assessment of Educational Progress Authorization Act, 20 U.S. Code, secs. 9621-9624 (2020).

¹² For more information on standardized student testing in Minnesota, see Office of the Legislative Auditor, Program Evaluation Division, *Standardized Student Testing* (St. Paul, 2017).

that year, 46 percent of a sample of non-Hispanic White fourth-grade students in Minnesota were deemed proficient in reading, as compared with less than 20 percent of samples of American Indian, Black, and Hispanic fourth-grade students. Similarly, the data show that 53 percent of a sample of non-Hispanic White eighth-grade students in Minnesota were deemed proficient in math, compared with much smaller proportions of American Indian, Black, and Hispanic eighth graders. These results represent examples; similar patterns hold for other NAEP grade-level and subject-area combinations, as well as for MCA results.

Exhibit 1.1: In Minnesota, there are sizable achievement gaps among students belonging to different demographic groups.



NOTE: The bars represent the percentage of samples of Minnesota public school students who scored at or above “proficient” on their respective 2019 National Assessment of Educational Progress (NAEP) test.

SOURCE: Office of the Legislative Auditor, analysis of data from the National Center for Education Statistics, *The Nation’s Report Card, 2019 Reading State Snapshot Report* (Minnesota public schools, grade 4); and *The Nation’s Report Card, 2019 Math State Snapshot Report* (Minnesota public schools, grade 8).

Minnesota’s achievement gaps are some of the largest in the nation.

In addition to the disparities already discussed, Minnesota has some of the worst gaps in the nation with respect to college readiness exams. For example, the Minneapolis Federal Reserve Bank reported that Minnesota and Wisconsin tied for the largest gap between non-Hispanic White students and Black students meeting math college readiness benchmarks, as measured largely by SAT and ACT test scores.¹³ In each state, there was a 39-point difference between the percentage of students meeting standards in the two racial groups. Further, the gap between non-Hispanic White

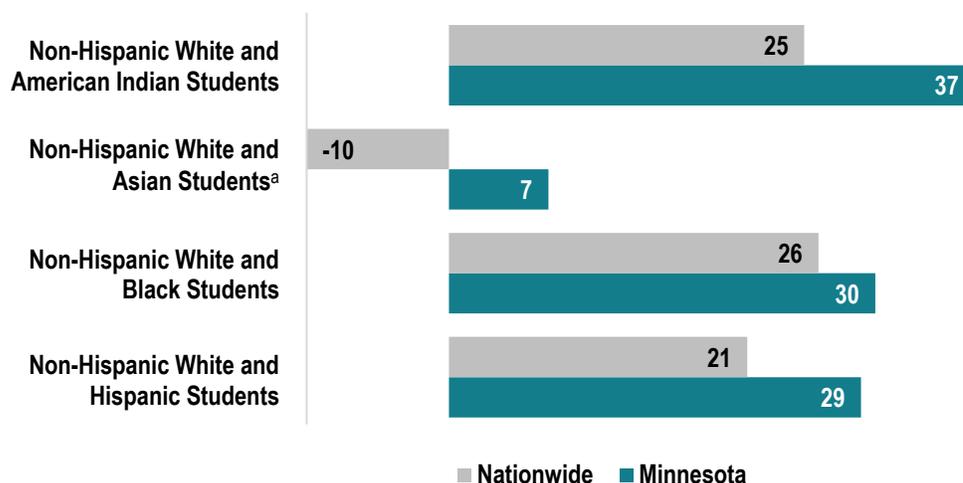
¹³ Rob Grunewald and Anusha Nath, *A Statewide Crisis: Minnesota’s Education Achievement Gaps* (Federal Reserve Bank of Minneapolis, October 11, 2019), 19-20. Not all 50 states were included in the analysis, as a number of states did not publicly report their college readiness results.

students and Hispanic students in math college readiness in Minnesota was the second largest in the nation (32 points), behind only Connecticut.¹⁴

To further illustrate the extent of Minnesota's achievement gap, we analyzed data related to the 2019 fourth-grade NAEP assessment in reading. Exhibit 1.2 shows that Minnesota's disparities on that test exceeded the nationwide average gaps for each demographic group.

Exhibit 1.2: In 2019, Minnesota's achievement gaps in fourth-grade reading exceeded the national average.

Difference in average scores, 4th grade reading (2019) between:



NOTES: The bars represent the differences between average raw scores of students belonging to different demographic groups on the 2019 National Assessment of Educational Progress (NAEP) for fourth-grade reading. For example, the average score on the fourth-grade reading exam for Non-Hispanic White students in Minnesota was 231, compared with 201 for Black students (a difference of 30 points).

^a Nationwide, fourth-grade Asian students scored higher on average (239) than non-Hispanic White students (229), resulting in the negative gap between the two student groups.

SOURCE: Office of the Legislative Auditor, analysis of National Center for Education Statistics data, 2019.

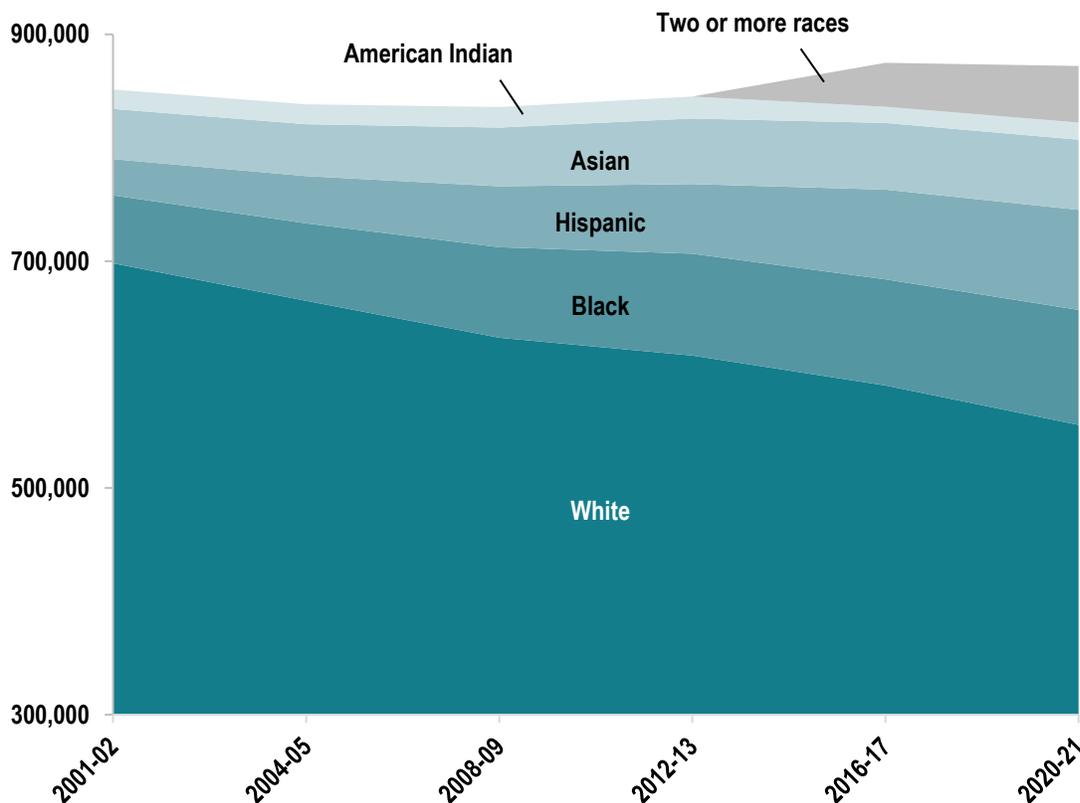
As Minnesota's population becomes more diverse, the achievement gap takes on greater significance. Exhibit 1.3 shows how Minnesota student demographics have changed over the past 20 years. While non-Hispanic White students comprised 82 percent of the Minnesota public school student population in the 2001-2002 school year, they made up 64 percent 20 years later (in the 2020-2021 school year). During this time, the population of Black students grew from 7 percent to 12 percent of Minnesota's public school student population, and the Hispanic student population more than doubled (from 4 percent to 10 percent).

¹⁴ Grunewald and Nath, *A Statewide Crisis: Minnesota's Education Achievement Gaps*, 19-20. Among the 33 states that the Federal Reserve Bank of Minneapolis evaluated for career and college readiness, Minnesota's gap in reading college readiness was the fifth largest in the nation when comparing non-Hispanic White students and Black students. It was the third largest when comparing non-Hispanic White students and Hispanic students.

Minnesota’s achievement gaps have persisted while the state’s demographic makeup has become more diverse. This has implications for the state’s efforts to support school districts and charter schools in addressing the achievement gap.

Exhibit 1.3: Minnesota’s public school student population has become more racially and ethnically diverse over time.

(Public school students)



NOTES: This exhibit does not include private school students or students in tribal contract schools. The categories of “Native Hawaiian and Pacific Islander” and “two or more races” were recorded for the first time in the 2013-2014 school year. Because the “Native Hawaiian and Pacific Islander” category contained too few students to be visible in this chart (613 in the 2016-2017 school year and 825 in the 2020-2021 school year), we included them with students who identified as “Asian.” This is consistent with how these students were reported in previous years, per federal guidelines.

SOURCE: Office of the Legislative Auditor, analysis of Minnesota Department of Education student enrollment data, 2001-2021.

Minnesota's Education System

In Minnesota, MDE is the state agency responsible for overseeing public school districts, charter schools, and other public education providers in Minnesota.¹⁵ MDE's oversight roles include ensuring compliance with statutory requirements and providing leadership, partnership, and support to the state's school districts and charter schools. In the 2020-2021 school year, there were 328 traditional school districts and 173 charter schools operating in Minnesota.

While MDE has an oversight role, local school boards generally control public education in Minnesota.

MDE oversees public education in Minnesota, which includes, for example, setting state-required academic standards for the different subject areas. However, Minnesota has a "local control" approach to public education. Under a local control approach, elected or appointed representatives serving on governing bodies, such as school boards or committees, govern and manage the public schools that are located in their communities.¹⁶ These boards and committees make key decisions about how to educate students, within the parameters set by the state. Such decisions include adopting budgets, developing long-term strategic plans, setting goals for instruction and student achievement, and developing processes to evaluate student progress. School district and charter school administrators work to implement the policies that school boards develop, including efforts to close the achievement gap.

Initiatives to Address the Achievement Gap

To evaluate how well MDE is fulfilling its role in addressing the achievement gap, we first reviewed MDE's responsibilities, as established in state law.

Minnesota education statutes explicitly mention the achievement gap in the context of four K-12 education initiatives.

In conversations with current and former MDE administrators, they emphasized that much of what the department does relates to closing the achievement gap. These administrators told us that closing the achievement gap is central to the department's mission. According to Minnesota's ESSA plan, ESSA provides MDE with the opportunity to "raise achievement and eliminate disparities among student groups."¹⁷

However, the terms "achievement gap," "opportunity gap," "disparity," and "disparities" appear very few times within Minnesota statutes related to education.

¹⁵ While there are many types of education providers in Minnesota, such as intermediate school districts and education districts, we generally focus on traditional public school districts and charter schools throughout this report.

¹⁶ *Minnesota Statutes* 2021, 123B.02, subd. 1; 123B.09, subds. 1 and 8; and 124E.07, subd. 6(1), establish local control and the duties of school boards for school districts and charter schools.

¹⁷ Minnesota Department of Education, *Every Student Succeeds Act Minnesota State Plan Executive Summary* (St. Paul, 2017), 2.

Most of these references pertain to one of four MDE programs, offices, or areas of responsibility (which we refer to collectively as education “initiatives”): (1) World’s Best Workforce, the state’s accountability framework; (2) the Achievement and Integration for Minnesota program; (3) American Indian education; and (4) the Regional Centers of Excellence.¹⁸ While addressing the achievement gap is not the sole purpose for any of the four initiatives, it is a goal for each. Exhibit 1.4 compares the four initiatives, showing their goals, eligible participants, and MDE’s responsibilities. We discuss each initiative in greater detail in subsequent chapters of this report.

Funding for Achievement Gap Initiatives

MDE administers state funding for K-12 students, making it the steward of roughly \$10 billion in Fiscal Year 2021. While MDE serves as the fiscal agent for the state’s K-12 education budget, it passes the vast majority of the funds on to local school districts, charter schools, and other educational entities, rather than using the appropriations to directly administer programs. For example, more than three-quarters of MDE’s nearly \$10 billion education appropriation for Fiscal Year 2021 was general education revenue, distributed on a formula basis to school districts and charter schools, and other education providers in the state.

The portion of the state’s overall K-12 funding that has been used to address the achievement gap is unclear.

In trying to understand how much of the state’s overall K-12 appropriation has been used to address the achievement gap, we considered funding in the context of the four initiatives discussed in the previous section. Given that these four initiatives each have multiple goals, it is difficult to ascertain how much spending for these initiatives is used to address the achievement gap in particular.

Since Fiscal Year 2014, the Legislature has directly appropriated funding for three of the four initiatives—all except World’s Best Workforce.¹⁹ In contrast, World’s Best Workforce—an initiative that encompasses much of what MDE, school districts, and charter schools do to educate students—is funded with the general education revenue and other state aids that districts and charter schools receive.

¹⁸ We focused our evaluation on K-12 education initiatives with direct links to school districts and charter schools. As such, we excluded other references to the achievement and opportunity gaps, including those related to early childhood programs, such as Head Start and the Early Learning Scholarship Program; the Education Partnerships Coalition Fund, which provides grants to community organizations striving to reduce the achievement gap; and alternative teacher preparation programs.

¹⁹ The Legislature has explicitly funded Achievement and Integration, the American Indian Education Aid Program, and the Regional Centers of Excellence. The American Indian Education Aid Program first received funding in Fiscal Year 2016. Prior to that, the Legislature funded a much smaller and more limited grant program for schools and districts serving American Indian students.

Exhibit 1.4: For the initiatives we examined, addressing the achievement gap is one of many statutorily defined goals.

Initiative	Goals	Participation Eligibility	MDE Statutory Responsibilities
World’s Best Workforce	<ul style="list-style-type: none"> • Closing the academic achievement gap • School readiness • Third-grade literacy • Career and college readiness • High school graduation 	All school districts and charter schools <i>must</i> participate	<ul style="list-style-type: none"> • Accept district annual reports • Identify districts not meeting goals • Submit an annual report to the Legislature • Identify effective strategies • Assist districts in using strategies
Achievement and Integration for Minnesota	<ul style="list-style-type: none"> • Reduction of academic disparities based on students’ diverse racial, ethnic, and economic backgrounds • Racial and economic integration • Student academic achievement • Equitable educational opportunities 	School districts that are “racially isolated” or that have “racially identifiable schools” <i>must</i> participate and other districts <i>may</i> participate voluntarily; charter schools are not eligible ^a	<ul style="list-style-type: none"> • Review and approve plans • Review and approve budgets • Evaluate results of district plans • Develop improvement plans in consultation with districts • Submit a biennial report to the Legislature
American Indian Education^b	<p>MDE must create a strategic plan with goals related to American Indian students, including:</p> <ul style="list-style-type: none"> • Closing the achievement gap • Increasing achievement • Increasing number of American Indian teachers • Increasing graduation rate • Increasing postsecondary or workforce placement 	School districts or charter schools with at least 20 American Indian students can receive funding through the American Indian Education Aid Program	<ul style="list-style-type: none"> • Create strategic plan • Consult with the American Indian community on policies that affect American Indian education • Help approve relevant teacher preparation programs • Evaluate the state of American Indian education in Minnesota • Approve district and charter school plans for the American Indian Education Aid Program • Provide technical assistance to districts and others
Regional Centers of Excellence	<p>Must work with schools to:</p> <ul style="list-style-type: none"> • Close the achievement gap • Support English learners • Increase career and college readiness • Increase graduation rates 	Services may predominantly be accessed by schools that have been identified for improvement under the Every Student Succeeds Act (ESSA) ^c	<ul style="list-style-type: none"> • Support the regional centers <i>(MDE staff do not provide direct assistance to districts or charter schools through this initiative)</i>

NOTE: “MDE” is the Minnesota Department of Education.

^a “Racially isolated” means that the districtwide enrollment of “protected students” (students who identify as being a race or ethnicity other than non-Hispanic White) exceeds by more than 20 percentage points the enrollment of protected students of any adjoining district. A “racially identifiable school” is a school with an enrollment of protected students that exceeds by more than 20 percentage points the districtwide average of protected students. *Minnesota Rules* 3535.0110, subps. 4, 6, and 7, <https://www.revisor.mn.gov/rules/3535/>, accessed July 22, 2021.

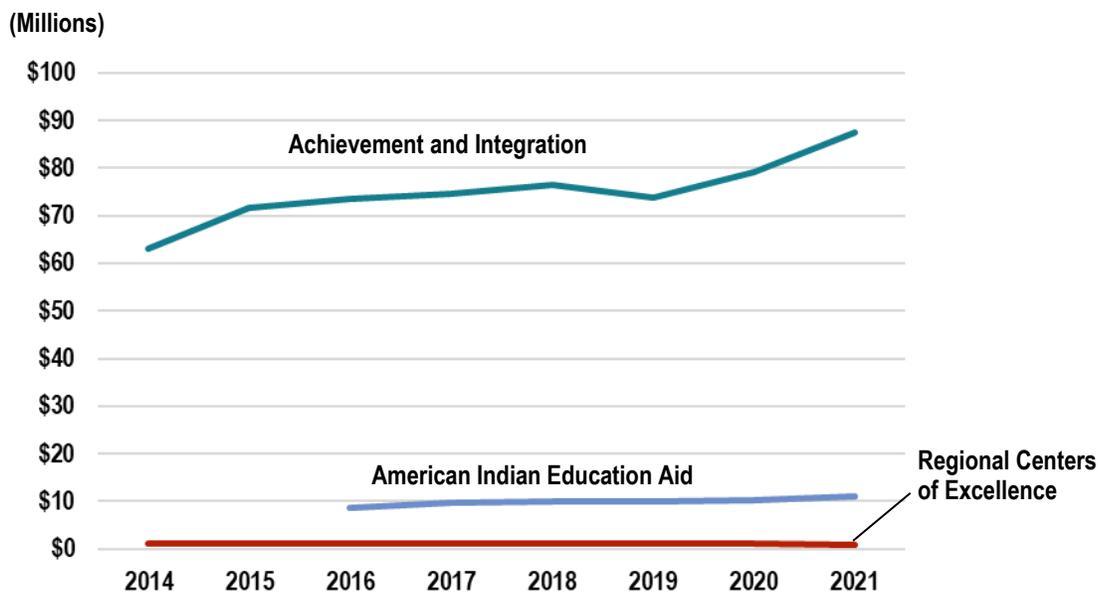
^b Minnesota statutes assign MDE responsibilities related to the American Indian Education Aid Program and American Indian education more broadly. Statutes also establish responsibilities for the director of MDE’s Office of American Indian Education. The goals and MDE responsibilities listed in this row reflect the law as a whole, rather than just the American Indian Education Aid Program.

^c Minnesota statutes do not establish eligibility to receive services from the Regional Centers of Excellence. Rather, since the regional centers are largely federally funded, federal guidelines dictate the services they can provide. Every Student Succeeds Act (ESSA) of 2015, 20 U.S. Code, sec. 6303(a)-(b) (2020). Regional Centers may use their small amount of state funds to serve other schools or districts.

While we do not know what share of each programs’ expenditures is related to the achievement gap, we found that the combined appropriations for the Achievement and Integration and the American Indian Education Aid programs have consistently accounted for less than 1 percent of the state’s K-12 education budget. Using inflation-adjusted 2021 dollars, the K-12 education budget increased from \$9.4 billion in Fiscal Year 2014 to \$10.0 billion in Fiscal Year 2021. During this same time period, the Legislature gradually increased the combined funding for the Achievement and Integration and the American Indian Education Aid programs from \$63.1 million in Fiscal Year 2014 to \$98.5 million in Fiscal Year 2021.²⁰

The Legislature did not change the amount of its appropriation for the Regional Centers of Excellence between fiscal years 2014 and 2021. The regional centers have annually received \$1 million (in nominal dollars) since Fiscal Year 2014. Exhibit 1.5 shows the changes in funding for each of the three initiatives since Fiscal Year 2014.

Exhibit 1.5: Funding for some initiatives related to the achievement gap has increased over time.



NOTES: Amounts are presented in inflation-adjusted Fiscal Year 2021 dollars, and years represent state fiscal years. The American Indian Education Aid Program began receiving funding in Fiscal Year 2016. The Legislature has never appropriated funding explicitly for World’s Best Workforce.

SOURCE: Office of the Legislative Auditor, analysis of Minnesota appropriations laws for fiscal years 2014-2021.

²⁰ In Fiscal Year 2021, funding for the Achievement and Integration program was approximately \$87.6 million and funding for the American Indian Education Aid Program was \$10.9 million.



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Chapter 2: MDE's Role

In the subsequent chapters of this report, we discuss specific statutes and the Minnesota Department of Education's (MDE's) responsibilities related to four different K-12 education initiatives with explicit goals related to the achievement gap.¹ Certain issues, however, transcend those individual initiatives. An underlying question uniting these issues is: what role should MDE play when it comes to addressing Minnesota's achievement gaps?

In this chapter, we discuss the lack of a statutory definition of the achievement gap, and the impact this has on MDE's ability to oversee related efforts. We also discuss the functions that Minnesota school districts and charter schools perceive as the most important in MDE's role addressing the achievement gap, as well as the role other state departments of education play in addressing their state's achievement gaps. We conclude with recommendations for the Legislature to change the way the achievement gap is addressed in Minnesota statutes.

Statutory Definition of "Achievement Gap"

Although the term "achievement gap" appears in Minnesota statutes, it is not defined, either in a definition section, or within any statute where it appears. In addition, the term is not mentioned in Minnesota rules.

Minnesota law does not provide a single, clear definition of "achievement gap" or how it should be measured.

As we discussed in Chapter 1, references to the achievement gap in academic literature typically indicate which student groups are being compared and on what measures. Some sections of Minnesota statutes address the first aspect—which groups of students should be compared—but none of them explain *how* the achievement gap should be measured, such as differences in graduation rates or scores on standardized tests in certain grade levels and subject areas.

The statutes relating to three of the four initiatives we evaluated—World's Best Workforce, Achievement and Integration for Minnesota, and American Indian education—specify the student subgroups to compare when identifying achievement gaps, as shown in the box on the next page.

For two of the initiatives—World's Best Workforce and Achievement and Integration—statutes specify similar groups of students to compare. Both of these initiatives strive to address achievement gaps among students with different racial, ethnic, and socioeconomic backgrounds. Likewise, statutes direct MDE's Office of American Indian Education to strategize how to address the achievement gap specifically related to American Indian

¹ As we explained in Chapter 1, these four initiatives are (1) World's Best Workforce, (2) Achievement and Integration for Minnesota, (3) American Indian education, and (4) Regional Centers of Excellence.

students. The statutes governing the Regional Centers of Excellence, in contrast, do not identify any specific student groups to compare when measuring the achievement gap.

With respect to the achievement gap, Minnesota statutes define student comparison groups for three of the four K-12 education initiatives.

Initiative	Comparison Groups	Citation
World's Best Workforce	<ul style="list-style-type: none"> Racial and ethnic groups of students Students living in poverty and students not living in poverty 	<i>Minnesota Statutes</i> 2021, 120B.11, subd. 1(c)
Achievement and Integration for Minnesota	<ul style="list-style-type: none"> Students of diverse racial and ethnic backgrounds Students of diverse economic backgrounds 	<i>Minnesota Statutes</i> 2021, 124D.861, subd. 1
American Indian Education	<ul style="list-style-type: none"> American Indian students and "their more advantaged peers" 	<i>Minnesota Statutes</i> 2021, 124D.791, subd. 4(6)
Regional Centers of Excellence	<ul style="list-style-type: none"> <i>Comparison groups not defined in statutes</i> 	<i>Minnesota Statutes</i> 2021, 120B.155

MDE's Statutory Responsibilities

Similar to lacking a common definition for the "achievement gap," state law does not define what specific role MDE should play in addressing the gap.

In most instances, Minnesota statutes do not clearly articulate MDE's responsibilities relative to the achievement gap.

While the statutes for the four education initiatives we examined *mention* the achievement gap, most of them do not clearly define MDE's role related to the achievement gap in particular. Rather, statutes assign MDE responsibilities—many of them administrative, such as collecting and approving plans and reports—for the initiatives as a whole.

For World's Best Workforce, for example, closing the achievement gap is one of five statutory goals.² The authorizing statute lays out school districts' and charter schools' responsibilities, as well as MDE's responsibilities for the initiative as a whole, but not related to *any particular goal*. As we discuss in Chapter 3, MDE's responsibilities with respect to World's Best Workforce include monitoring the progress of school districts and charter schools in "striving for the world's best workforce."³ While this could include analyzing district and charter school progress towards closing the achievement gap, that is just one of the many goals that would indicate progress under World's Best Workforce.

² *Minnesota Statutes* 2021, 120B.11, subd. 1(c). The other statutorily defined goals are that all students: (1) meet school readiness goals, (2) achieve grade-level literacy by third grade, (3) attain career and college readiness before graduation, and (4) graduate from high school.

³ *Ibid.*, subd. 9(b).

MDE serves a similar role for the Achievement and Integration program. As we discuss in Chapter 4, participating school districts must create Achievement and Integration plans that establish three or more goals, at least one of which must relate to the achievement gap. However, MDE's statutory responsibility to approve Achievement and Integration budgets relates to the program as a whole, not to the achievement gap specifically.⁴

In a notable exception, statutes clearly establish MDE's role with respect to the achievement gap and American Indian students. As we discuss in Chapter 5, statutes require MDE to develop a strategic plan and long-term framework, including goals to "close the achievement gap between American Indian students and their more advantaged peers."⁵

The statutes authorizing the Regional Centers of Excellence establish the least explicit role for MDE with regard to addressing Minnesota's achievement gap. This section of law makes just one mention of the achievement gap, stating that the regional centers must "work with school site leadership teams to build the expertise and experience to implement programs that close the achievement gap," among other things.⁶ As we discuss in Chapter 6, MDE does not operate the regional centers; the centers are housed within regional service organizations and staffed with nonstate employees. The department's statutory responsibilities with respect to the regional centers are to provide technical and programmatic support and to work with the centers to develop coherent regional systems of support for low-performing schools.⁷

Because statutes give MDE few explicit duties pertaining to the achievement gap, we evaluated MDE's administration of each of the four initiatives more broadly. We discuss our findings, which we relate to the achievement gap whenever possible, in the subsequent chapters of this report.

Local Perceptions Regarding MDE's Role

Some stakeholders we spoke with expressed confusion about why we would evaluate MDE's role in addressing the achievement gap. They said that closing the achievement gap was instead the job of the individual school districts and charter schools implementing educational programming. As we described in Chapter 1, local school district and charter school boards generally control education in Minnesota, with MDE largely playing a support and oversight role.

According to many local education leaders, MDE's most important role in addressing the achievement gap is helping school districts and charter schools identify strategies to do so.

While MDE may not be the primary actor responsible for closing the achievement gap, we identified a number of ways in which the department currently contributes to the

⁴ *Minnesota Statutes* 2021, 124D.861, subd. 3(c).

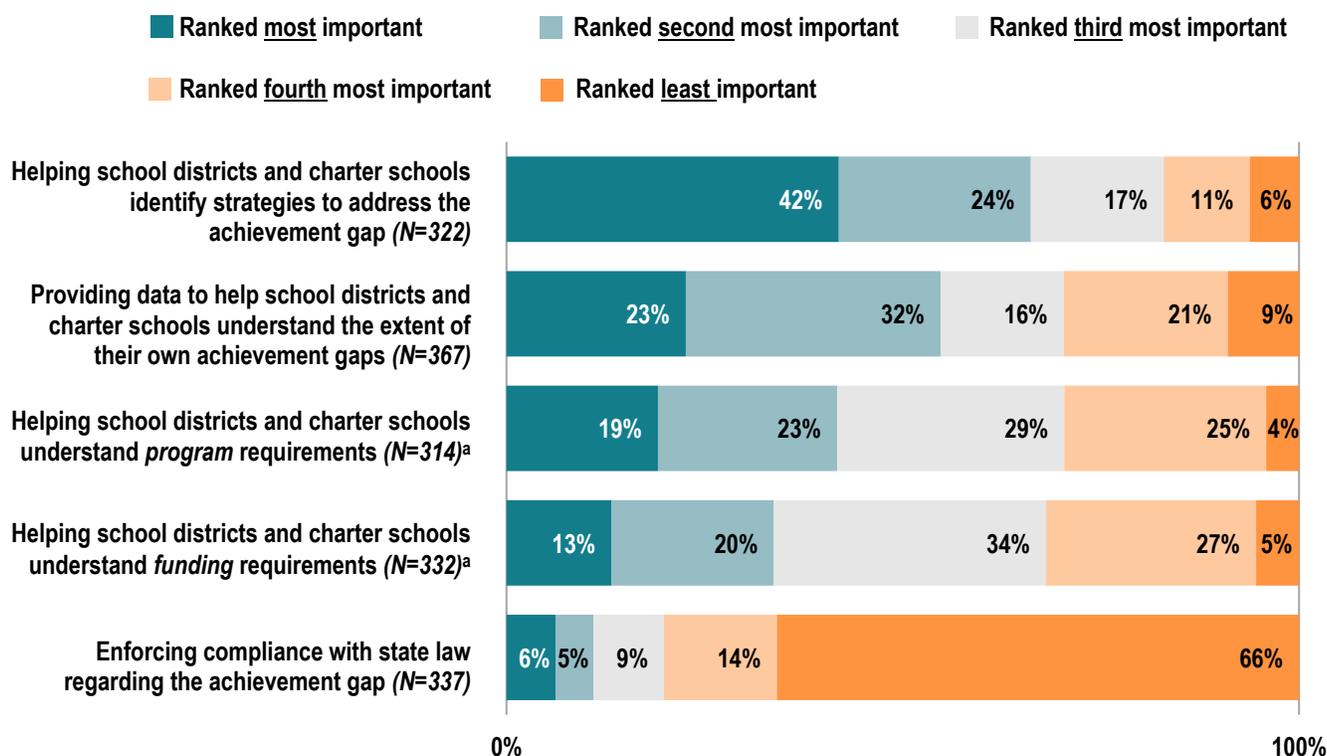
⁵ *Minnesota Statutes* 2021, 124D.791, subd. 4(6)(iii).

⁶ *Minnesota Statutes* 2021, 120B.115(a).

⁷ *Ibid.*, (b).

effort. We then asked respondents to our survey of school district and charter school leaders to rank those potential contributions in order of importance.⁸ The survey results demonstrate that school district and charter school leaders value MDE’s assistance roles over its compliance activities. As shown in Exhibit 2.1, more than 40 percent of respondents said “helping school districts and charter schools identify strategies to address the achievement gap” is the department’s most important role.

Exhibit 2.1: A large proportion of school district and charter school leaders think that providing strategic support is MDE’s most important role in addressing the achievement gap.



NOTES: “MDE” is the Minnesota Department of Education. The questionnaire asked respondents to rank the five MDE functions listed above in terms of importance in addressing the achievement gap. The “N” following each question is the number of respondents that expressed an opinion on the question; Ns less than 372 (the total number of survey respondents) indicate that some respondents skipped the question. Bar totals may not sum to 100 percent due to rounding.

^a In the questionnaire, these questions referred to an introductory statement explaining that our primary interest was in World’s Best Workforce, Achievement and Integration for Minnesota, the American Indian Education Aid Program, and the Regional Centers of Excellence.

SOURCE: Office of the Legislative Auditor, survey of school district superintendents and charter school directors, 2021.

⁸ In September and October 2021, we surveyed the superintendents or directors of 497 school districts and charter schools about MDE’s role in addressing the achievement gap. We received responses from 372 (75 percent) of those surveyed.

Other States and the Achievement Gap

Minnesota is one of many states that have identified the achievement gap as a concern and made specific efforts to address it. Since 2006, at least ten states, including Minnesota, have reported on the work of task forces focused on reducing their states' achievement gaps. As part of our review of academic and national literature, we reviewed the reports and recommendations resulting from these task forces, as well as a handful of other state-level planning documents we found that related to the achievement gap.⁹

Minnesota statutes already address many of the recommendations that other states' task forces have made regarding the achievement gap.

The reports we reviewed took different approaches to discussing the achievement gap and made recommendations to legislatures, state departments of education, local school districts, and individual schools on a wide variety of issues. We identified a number of common themes among the recommendations, listed in the box at right. Minnesota statutes already address each of these themes to at least some degree. In many cases—such as recruiting teachers from diverse backgrounds—they are requirements for school districts and charter schools as part of World's Best Workforce and/or Achievement and Integration. In others—such as engaging families in decisions about American Indian education—they are MDE responsibilities.



Task forces from multiple states have made recommendations for addressing the achievement gap. These include:

- Promoting and supporting early childhood development and education
- Recruiting and hiring teachers from diverse backgrounds
- Requiring professional development, including training on cultural competence, for all teachers
- Implementing policies to support students who are English learners
- Creating initiatives to engage families
- Using data to monitor progress and apply evidence-based strategies

Beyond state task force and planning documents, we searched for academic literature that examined whether particular state-level interventions had helped close the achievement gap. Many of the studies we found, however, looked at the effect of interventions at the district or school level, rather than statewide. While there are numerous interventions that have not demonstrated a clear effect on the achievement gap, we found a small handful of studies that identified interventions that were successful in particular states.¹⁰ Exhibit 2.2 lists

⁹ Connecticut, Illinois, Kansas, Maryland, Massachusetts, Minnesota, Ohio, South Dakota, Washington, and Wisconsin have convened task forces or committees related to the academic achievement gap since the mid-2000s. Some of these task forces were convened by the states' legislatures and others by their executive branch. We also reviewed state planning documents from Indiana, Iowa, and New Jersey. Minnesota's 2011 Legislature established a task force focused on the creation of the Achievement and Integration for Minnesota program, which we discuss in Chapter 4, but asked the task force to consider how to reduce the achievement gap in general. *Laws of Minnesota* 2011, First Special Session, chapter 11, art. 2, sec. 49.

¹⁰ Although the studies showed promising effects on reducing achievement gaps in their states, we did not evaluate whether these measures would be effective in other contexts.

these interventions. Minnesota policies already address some of these, such as the emphasis on ensuring that all students have access to high-quality teachers and supporting the lowest performing schools and districts.

Exhibit 2.2: Of the statewide interventions studied, only a handful were associated with measurable reductions in the achievement gap.

Intervention Type	State(s)	Effect Identified
Investments in ensuring that all students have access to high-quality teachers	CT, NC	Narrowed achievement gaps among demographic groups
Assigning students to a teacher of the same race	TN	Positive effects in math and reading achievement for Black students
Technical assistance to districts that failed to meet adequate yearly progress goals	CA	Positive increases in math achievement for students who are Black, Hispanic, English learners, or from low-income families

NOTES: Many interventions in the studies we reviewed did not result in a meaningful effect on the achievement gap. This could mean the interventions raised achievement of all students generally but did not generate a specific effect for groups of students with lower performance, or that the interventions were associated with a negative outcome. See, for example, Michelle R. Same, Nicole I. Guarino, Max Pardo, Deaweh Benson, Kyle Fagan, and Jim Lindsay, *Evidence-supported interventions associated with Black students' educational outcomes: Findings from a systematic review of research* (Chicago, IL: Regional Educational Laboratory at American Institutes for Research, 2018), C-1.

SOURCES: Linda Darling-Hammond, *The Flat World and Education: How America's Commitment to Equity Will Determine Our Future* (New York, NY: Teachers College Press, 2010), 133-144; Ela Joshi, Sy Doan, and Matthew G. Springer, "Student-Teacher Race Congruence: New Evidence and Insight From Tennessee," *AERA Open* 4, no. 4 (2018): 2, and 8-9; and Katherine O. Strunk and Andrew McEachin, "More Than Sanctions: Closing Achievement Gaps Through California's Use of Intensive Technical Assistance," *Educational Evaluation and Policy Analysis* 36, no. 3 (September 2014).

Recommendations

If the Legislature believes that reducing the achievement gap is a priority, we recommend providing additional clarity in law, as detailed below.

RECOMMENDATION

To ensure a common understanding among policy makers, MDE, school districts, and charter schools, the Legislature should define "achievement gap" in law.

The achievement gap is a matter of concern to many educators and policy makers, yet state law does not provide a shared definition or understanding of this term.¹¹ The law for some initiatives indicates the student subgroups whose achievement should be compared, but none of the initiatives clarify the measures that should be used for these

¹¹ As we discussed in Chapter 1, we use the term "achievement gap" as opposed to "opportunity gap," because it is the term that appears most often in current statutes. The Legislature may also wish to define opportunity gap and make explicit whether and how it differs from achievement gap for the purposes of state law.

comparisons. If the Legislature wishes to prioritize efforts to address the achievement gap, it should either clearly define for MDE and others what the term means, or authorize MDE to develop a definition. If the Legislature chooses to delegate to MDE the responsibility for defining the achievement gap, it should grant the department rulemaking authority to undertake this effort.

RECOMMENDATION

The Legislature should consider more explicitly defining the Minnesota Department of Education's responsibilities with respect to addressing the achievement gap.

The Legislature should consider whether it wants MDE to play a more active and defined role in addressing the achievement gap and, if so, what that role should be. The Legislature may not wish to do this; as discussed above, some people consider addressing the achievement gap to be the work of local school districts and charter schools. But if the Legislature wants MDE to assume a more explicit leadership role in addressing the achievement gap, it could amend statutes to require that MDE formally develop strategies for this purpose.

MDE already has a strategic plan, most recently updated in 2020. This plan includes narrowing the achievement gap as one of the key results of the objective “every student deserves a world-class education.”¹² MDE’s strategic plan lists several strategies for implementing this objective.¹³ What the strategic plan lacks, however, are sufficiently observable quantitative measures (beyond the size of the achievement gap itself) to show the effect of those strategies in addressing the achievement gap. For example, for the strategy “Increase service available to students at school by increasing the number of full-service community schools,” MDE could specify a target number of full-service community schools that it would like open by a certain date.¹⁴ It could also provide additional detail on steps MDE needs to take to encourage the formation of such schools. The Legislature could require that MDE write a standalone plan addressing the achievement gap, or that it further develop its existing strategic plan by adding detail to the strategies for addressing the achievement gap and milestones to evaluate progress.

¹² Minnesota Department of Education, *Minnesota Department of Education Strategic Plan* (Roseville, 2021), 5. The strategic plan includes four overarching objectives, one of which explicitly relates to the achievement gap. The objectives and key results in MDE’s strategic plan align with the education goals in Governor Walz’s One Minnesota plan. While MDE’s strategic plan does not establish timelines for the department to achieve its goals, the One Minnesota plan suggests that the targets were originally designed to be met in 2022. Walz administration, “Measurable Goals: A Component of the One Minnesota Plan” (St. Paul, 2020), 9.

¹³ Strategies include, for example, to “increase access, participation, and representation in rigorous coursework...to expand opportunities for students of color, Indigenous students and students with disabilities, as well as students in greater Minnesota to prepare and train for career or college.” *Minnesota Department of Education Strategic Plan*, 6.

¹⁴ A full-service community school supports students and their families so that they can engage in high-quality learning opportunities. The community school model incorporates: (1) integrated student services (such as health and dental care); (2) enriched learning opportunities before, during, and after school; (3) active student, family, and community engagement; and (4) collaborative school leadership.

Further, the Legislature could require that MDE regularly report to the Legislature on the extent of the statewide achievement gap using a variety of measures (such as disparities among different student demographic groups in graduation rates, as well as disparities in proficiency in different grades and subject areas as measured by statewide academic achievement tests). If the Legislature takes this approach, we suggest that the report include longitudinal data showing the extent to which such disparities have changed over time. We do not think MDE would need to collect new information to fulfill such a requirement. We believe that the department could report on the extent of the achievement gap using data it already collects to fulfill its federal obligation to prepare an annual State Report Card.¹⁵

The Legislature could also clarify the extent to which MDE should provide technical and strategic support to school districts and charter schools as they address the achievement gap. A large proportion of superintendents and directors we surveyed considered such support as MDE's most important role relative to the achievement gap. In later chapters, we discuss the support, or lack thereof, that MDE provides to school districts and charter schools in the context of World's Best Workforce and Achievement and Integration for Minnesota. We also discuss the assistance that the Regional Centers of Excellence provide (with support from MDE). These sections could inform a broader discussion about the role of the department in supporting school districts and charter schools in their efforts to address the achievement gap.

¹⁵ An annual State Report Card is a part of the state accountability system required under the Every Student Succeeds Act (ESSA) of 2015, 20 *U.S. Code*, sec. 6311(h) (2020), which we discussed in Chapter 1.

Chapter 3: World's Best Workforce

Minnesota statutes direct school districts and charter schools to strive to create the “world’s best workforce.”¹ This means many things, including closing the academic achievement gap so that all students can enter the workforce with strong chances for success.



World's Best Workforce: Statutory Relationship to the Achievement Gap

To “close the academic achievement gap among all racial and ethnic groups of students and between students living in poverty and students not living in poverty” is one of five goals of World’s Best Workforce.

“The **size of the academic achievement gap**” is one criterion that must be used to measure school district and charter school progress in creating the world’s best workforce.

— *Minnesota Statutes 2021, 120B.11, subds. 1(c) and 1a(1)*

As we explained in Chapter 2, statutes outlining the World’s Best Workforce initiative do not assign the Minnesota Department of Education (MDE) responsibilities specific to the achievement gap, but rather, to the initiative as a whole. As such, we evaluated the department’s broad administration of World’s Best Workforce requirements. In this chapter, we provide an overview of the World’s Best Workforce initiative and explain what Minnesota statutes require of MDE with respect to this initiative. We then discuss (1) the support MDE provides to traditional public school districts and charter schools as they strive to create the world’s best workforce and (2) MDE’s oversight of school districts’ and charter schools’ progress. We conclude with recommendations for MDE and the Legislature.

Overview

The scope of World’s Best Workforce established in statute is quite broad and the initiative encompasses much of what MDE, school districts, and charter schools do in educating students.² The Legislature enacted World’s Best Workforce in 2013, establishing five goals for education in Minnesota (shown in the box at right), one of which is to close the achievement gap.³ World’s Best Workforce requires school districts, charter schools, and MDE to generate program goals, plans, and reports; Exhibit 3.1 explains each of these documents and who is responsible for them.⁴



“World’s best workforce” means striving to:

- Close the academic achievement gap
- Have all students meet school readiness goals
- Have all third-grade students achieve grade-level literacy
- Have all students attain career and college readiness before graduation
- Have all students graduate from high school

— *Minnesota Statutes 2021, 120B.11, subd. 1(c)*

¹ *Minnesota Statutes 2021, 120B.11, subd. 1(c).*

² *Ibid.*

³ *Laws of Minnesota 2013, chapter 116, art. 2, sec. 6, codified as Minnesota Statutes 2021, 120B.11.*

⁴ In this chapter, any use of the terms “goals,” “plans,” or “reports” should be taken to mean those associated with World’s Best Workforce, unless otherwise specified.

Exhibit 3.1: Statutes require a number of goals, plans, and reports as part of World's Best Workforce.

Party Responsible	Description
Goals	
School district and charter school boards	Set goals as part of their World's Best Workforce plans
Plans	
School district and charter school boards	Adopt comprehensive, long-term strategic plans aligned with the state's World's Best Workforce goals
Reports	
School district and charter school boards	Submit an annual report to MDE
School district and charter school boards	Prepare an annual report that is available to the public
MDE	Submits an annual report to the Legislature including: <ul style="list-style-type: none"> • A list of school districts and charter schools that have not submitted their annual reports • A list of school districts and charter schools not achieving the performance goals established in their plans

NOTE: "MDE" is the Minnesota Department of Education.

SOURCE: Office of the Legislative Auditor, analysis of *Minnesota Statutes* 2021, 120B.11, subs. 1(c), 2, 5, and 9(c).

World's Best Workforce statutes require public school boards (of both traditional districts and charter schools) to adopt long-term strategic plans to support and improve teaching and learning. The plans must include a budget and student assessment processes, among other things.⁵ Statutes also require school district and charter school boards to hold an annual public meeting to review—and revise when appropriate—their plan goals, strategies, and practices.⁶ Statutes do not require that the plans or revisions be submitted to MDE, nor do statutes give MDE the authority to “approve” these plans. Rather, statutes require that districts and charter schools annually report to MDE on their performance relative to their World's Best Workforce plans.⁷

⁵ *Minnesota Statutes* 2021, 120B.11, subd. 2.

⁶ *Ibid.*, subd. 5. While school district and charter school boards approve World's Best Workforce plans and hold annual meetings to discuss progress in meeting plan goals, the school districts and charter schools themselves do the work of implementing the plans. For the sake of simplicity, we refer to districts and charter schools (rather than boards) for the remainder of the chapter.

⁷ Given that statutes do not require school districts and charter schools to submit their plans to MDE, the department has no statutory authority over district and charter school plans or goals. Department staff are only involved with plan creation when a school district or charter school specifically requests assistance.

By law, MDE is required to monitor and support school districts and charter schools as they implement their World's Best Workforce plans, as shown in the box at right. For example, MDE must collect annual reports from school districts and charter schools. Depending on the specific goals the district or charter school has established, these reports may reveal the extent to which districts or charter schools have closed their academic achievement gaps. In the upcoming sections, we discuss these MDE responsibilities in greater detail.



MDE Statutory Responsibilities with Respect to World's Best Workforce:

- Receive school districts' and charter schools' annual reports
- Identify districts and charter schools not meeting goals
- Submit an annual report to the Legislature
- Identify effective strategies and uses of resources by districts and charter schools
- Assist districts and charter schools in using effective strategies

— *Minnesota Statutes 2021, 120B.11, subs. 5 and 9*

MDE Support

Since World's Best Workforce statutes do not assign MDE responsibilities related to the achievement gap in particular, we examined MDE's duties related to World's Best Workforce more generally. In this section, we discuss the support that MDE provides school districts and charter schools in the context of World's Best Workforce. In particular, Minnesota statutes state that MDE:

Must identify effective strategies, practices, and use of resources by districts and school sites in striving for the world's best workforce. The commissioner must assist districts and sites throughout the state in implementing these effective strategies, practices, and use of resources.⁸

MDE staff described ways in which the department supports school districts and charter schools with respect to World's Best Workforce, as discussed below.

Online resources. MDE's new Collaborative Minnesota Partnerships to Advance Student Success (COMPASS) Web page provides resources related to math, literacy, school climate, and mental health, among others.⁹ The Web page also includes lists of "evidence-based practices," including an inventory of public education programs indicating whether they have been "proven effective," are "promising," or have "no effect" according to studies with high-quality research designs.¹⁰

⁸ *Minnesota Statutes 2021, 120B.11, subd. 9(a).*

⁹ COMPASS replaced MDE's "Continuous Improvement" Web page, which contained similar resources. The COMPASS Web page can be found at: <https://education.mn.gov/MDE/dse/health/covid19/compass/>, accessed February 14, 2022.

¹⁰ Minnesota Management and Budget, *Public Education Program Inventory and Analysis* (St. Paul, 2021). MDE worked with Minnesota Management and Budget to identify programs and services for this inventory. The report did not focus specifically on closing the achievement gap. Rather, it evaluated whether programs had positive outcomes in the areas of increasing academic achievement, increasing graduation rates, and improving students' social and emotional abilities.

Regional superintendent meetings. Prior to the start of the COVID-19 pandemic, MDE held annual regional superintendent meetings. At these optional meetings—open to school district and charter school representatives—MDE highlighted district best practices and provided networking opportunities.¹¹ In 2018, for example, MDE held a set of four regional meetings across the state to allow districts and charter schools to network with each other and to present an analysis the department had commissioned of strategies that districts and charter schools reported using in their annual World's Best Workforce reports to MDE.

Support for identified districts and charter schools. In 2018, MDE identified and began providing support for 50 school districts and charter schools: the bottom 10 percent of districts and the bottom 10 percent of charter schools, based on reading and math achievement as measured by standardized tests, progress toward English proficiency for English learners, graduation rates, and rates of students with consistent school attendance. Cross-agency teams of MDE staff with different specialties worked with cohorts of identified districts and charter schools to coach them through developing a leadership team, assessing needs and priorities for improvement, and selecting strategies to help them achieve their World's Best Workforce goals, including closing the achievement gap. MDE staff told us that these cross-agency teams supported the districts and charter schools most intensely during the 2018-2019 school year and the first half of the 2019-2020 school year, before the start of the COVID-19 pandemic, when districts and charter schools shifted to distance learning.

While MDE has made efforts to help school districts and charter schools achieve their World's Best Workforce goals, there is room for improvement.

As part of their World's Best Workforce support, MDE has provided specific, tailored assistance to only a small number of school districts and charter schools (the 50 that MDE identified for support in 2018). The remaining districts and charter schools must rely on the Web page resources and regional meetings described above. (As mentioned previously, regional meetings have been on hold since the start of the COVID-19 pandemic.)¹²

Some of the resources on the department's website could be useful for school districts and charter schools. For example, both the current COMPASS Web page and its forerunner (the Continuous Improvement Web page) featured lists of evidence-based practices. However, it is unclear the extent to which districts and charter schools know about and use these resources. When asked how they publicized the Continuous Improvement Web page, MDE's World's Best Workforce staff seemed unsure if and how MDE disseminated the information.

¹¹ MDE staff did not know what percentage of districts and charter schools were typically represented at these meetings.

¹² While MDE has not resumed regional networking meetings, department staff said that MDE has been offering online meetings for school districts and charter schools to learn about World's Best Workforce. Topics for these meeting have included an overview of legal requirements, goal setting, and the submission process for annual reports.

Representatives of school district associations, as well as other stakeholders we spoke with, said that they wished MDE would take a more active role in informing school districts and charter schools about promising practices. The fact that we heard this request from several sources suggests that not all school district and charter school leaders know about MDE’s Continuous Improvement or COMPASS Web pages, or that some of those who know about the Web pages do not find them useful.

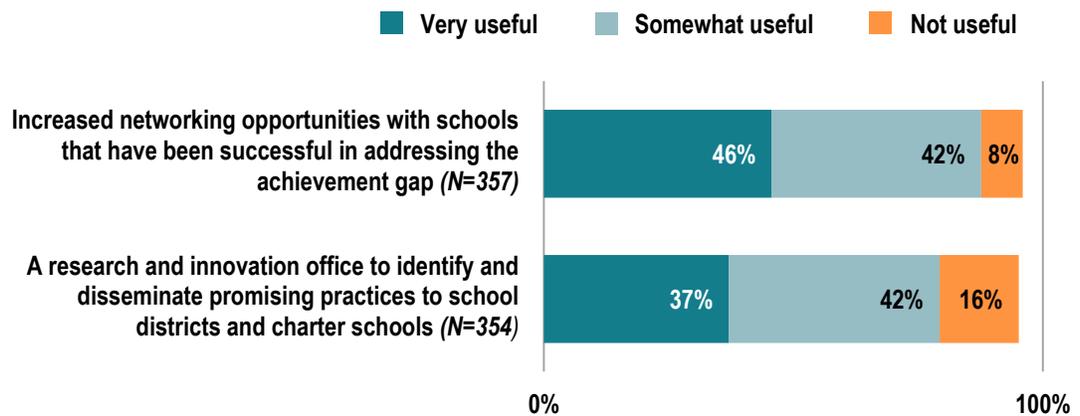
Our survey of school district superintendents and charter school directors asked about their interest in several forms of assistance that MDE could offer.¹³ As shown in Exhibit 3.2, a large majority of respondents said certain types of assistance—such as increasing networking opportunities or establishing a research or innovation office within MDE—would be “somewhat” or “very” useful.



In the future, MDE needs to establish a best practices portal on their website which shows models of excellent practices. A showcase of best practices would help tremendously.

— Respondent to 2021 survey of school districts and charter schools

Exhibit 3.2: Survey respondents expressed interest in having MDE do more to disseminate information to school districts and charter schools.



NOTES: “MDE” is the Minnesota Department of Education. We surveyed all Minnesota school district superintendents and charter school directors, 75 percent of whom (372) completed the questionnaire. The “N” for each bar shows the number of respondents who expressed an opinion. The remaining respondents selected “no opinion” or did not respond to the question. The prompt for this question was: “With respect to addressing the achievement gap, to what extent would it be useful for MDE to offer the following types of support to school districts and charter schools?”

SOURCE: Office of the Legislative Auditor, survey of school district superintendents and charter school directors, 2021.

¹³ In September and October 2021, we surveyed the superintendents or directors of 497 school districts and charter schools about MDE’s role in addressing the achievement gap. We received responses from 372 (75 percent) of those surveyed.

MDE Oversight

As we discussed previously, school districts and charter schools annually report to MDE on their progress toward their World's Best Workforce goals, which could pertain to closing the achievement gap. Annual reports are one tool that MDE has to oversee school districts' and charter schools' progress toward striving to create the world's best workforce. However, some of the school district superintendents and charter school directors we surveyed questioned whether the annual reporting requirement of World's



I find the whole World's Best Workforce to be a mandated report to MDE that really doesn't support any local assistance, we jump through this hoop to satisfy MDE requirements.

— Respondent to 2021 survey of school districts and charter schools

Best Workforce is worth the effort. Several respondents provided comments characterizing World's Best Workforce annual reporting requirements as “a checkbox activity,” a “hoop” to jump through, or more work on top of many other reports and responsibilities. Further, some school district superintendents and charter school directors did not seem to think that the reports are used in a meaningful way, such as to target MDE support to the school districts and charter schools that need help to address their achievement gaps.

MDE has not provided annual oversight of school districts' and charter schools' progress under World's Best Workforce, as required by law.

Minnesota statutes require that MDE identify districts in “any consecutive three-year period not making sufficient progress toward improving teaching and learning for all students...and striving for the world's best workforce.”¹⁴ MDE told us it has interpreted “any consecutive three-year period” to mean *once every three years*. As a result, the only time the department has identified districts and charter schools not making sufficient progress under World's Best Workforce was in 2018.¹⁵ We disagree with MDE's interpretation and believe that statutes require annual monitoring of school districts' and charter schools' progress, each time looking back at the three most recent years. Further, annual monitoring of districts and charter schools could allow MDE to provide better oversight regarding local efforts to reduce the achievement gap.

Statutes also require MDE to report annually to the Legislature (1) a list of school districts and charter schools that failed to submit to MDE their annual World's Best Workforce report and (2) a list of those that did not meet the goals established in their World's Best Workforce plans.¹⁶ MDE has submitted World's Best Workforce reports to the Legislature every year since 2016.¹⁷ The reports have, as required, included the list of districts and charter schools that failed to submit their annual reports. However,

¹⁴ *Minnesota Statutes* 2021, 120B.11, subd. 9(b).

¹⁵ MDE completed the 2018 World's Best Workforce monitoring of *districts and charter schools* in conjunction with its triennial identification process under the federal Every Student Succeeds Act (ESSA), which focuses on individual *schools*. MDE had intended to conduct its next triennial review in 2021, but the process was delayed due to the COVID-19 pandemic.

¹⁶ *Minnesota Statutes* 2021, 120B.11, subd. 9(c).

¹⁷ See, for example, Minnesota Department of Education, *2022 World's Best Workforce Legislative Report* (Roseville, 2022).

the reports *did not* include a list of school districts and charter schools that failed to meet their World's Best Workforce goals.

Minnesota statutes do not clearly explain how “sufficient progress” toward creating the world’s best workforce should be measured.

As explained previously, Minnesota statutes require that MDE identify districts “not making sufficient progress toward improving teaching and learning for all students.”¹⁸ However, statutes do not define “sufficient progress” or explain how it should be measured. One option would be for MDE to use the annual reports that the school districts and charter schools submit to determine whether each district and charter school met, or was on track to meet, the goals in its World's Best Workforce plan. Another approach would be for MDE to use students' standardized test scores, graduation rates, and other data to compare districts and charter schools with each other or with department-created benchmarks. MDE used a version of this approach when it identified the 50 lowest-performing school districts and charter schools in 2018.

MDE's Budget Authority

When school districts or charter schools fail to make sufficient progress, there may be financial consequences. Minnesota statutes grant MDE authority over 2 percent of school districts' and charter schools' general education budgets if a school district or charter school fails to make sufficient progress in creating the world's best workforce for three consecutive years.¹⁹ According to statutes:

In collaboration with the identified district, [MDE] may require the district to use up to 2 percent of its basic general education revenue per fiscal year during the proximate three school years to implement commissioner-specified strategies and practices...to improve and accelerate its progress in realizing its goals under this section. In implementing this section, the commissioner must consider districts' budget constraints and legal obligations.²⁰

MDE has exercised its World's Best Workforce budget authority on a limited basis.

Previously in this chapter, we stated that Minnesota statutes do not define how MDE should measure “sufficient progress” when monitoring school districts' and charter schools' performance under World's Best Workforce. In the absence of a clear definition, MDE has used its budget authority only in conjunction with the department's

¹⁸ *Minnesota Statutes* 2021, 120B.11, subd. 9(b).

¹⁹ *Ibid.* In addition to the authority specific to World's Best Workforce, we discuss MDE's authority over Achievement and Integration budgets in Chapter 4. Also, *Minnesota Statutes* 2021, 127A.42, subd. 2, gives MDE the broad authority to withhold state aid from school districts and charter schools when they commit certain violations. We do not believe, however, that failing to meet the goals in World's Best Workforce plans would meet the criteria listed in statute.

²⁰ *Minnesota Statutes* 2021, 120B.11, subd. 9(b).

2018 identification of the 50 lowest-performing school districts and charter schools. At that time, MDE required that the identified school districts and charter schools allocate up to 2 percent of their basic general education budgets to implement strategies approved by the commissioner. MDE has not used its World's Best Workforce budget authority in other years or with other school districts or charter schools.

Importantly, MDE did not unilaterally determine how school districts and charter schools should spend the 2 percent of their basic general education budgets. The department's cross-agency teams worked with the identified districts and charter schools to assess needs, select new strategies, and prepare memoranda to the commissioner explaining the districts' and charter schools' strategies and budget items, including up to 2 percent of general education revenue, directly supporting the implementation of improvement strategies. The MDE teams continued to support the identified districts as they began to implement their selected strategies, through the first half of the 2019-2020 school year. This support took the form of ongoing meetings with leadership teams, sharing resources, and connecting districts and charter schools with other MDE experts to provide the individual technical support that they needed.

Recommendations

As we have discussed throughout this chapter, there is room for improvement both in World's Best Workforce statutes and in MDE's related oversight and support of school districts and charter schools.

RECOMMENDATION

MDE should better communicate the availability of resources to support school districts and charter schools.

MDE's online resources could help districts and charter schools to make progress toward their World's Best Workforce goals, including addressing the achievement gap. The department should regularly update—and remind districts and charter schools about the existence of—the evidence-based practices and other resources on its COMPASS Web page.

When MDE determines that a school district or charter school has not met the goals in its World's Best Workforce plan, the department should send a letter or e-mail reminding the districts' or charter schools' leaders about the resources on the COMPASS Web page, including an offer to consult if they would like to receive additional help from MDE.

As mentioned previously, a large majority of our survey respondents supported the idea of MDE having a research office to keep track of promising practices and disseminate them to school districts and charter schools. Such an office could keep MDE's resource lists and materials up to date. An alternative approach, which the Office of the

Legislative Auditor has previously suggested, is for MDE to periodically convene a technical advisory group to identify effective practices supported by academic research.²¹

Finally, the department should resume regional networking events to allow all school districts and charter schools to learn from those that have successfully reduced their achievement gaps or made other progress with respect to the World's Best Workforce initiative. Our survey showed that school districts and charter schools would consider such networking activities useful.

RECOMMENDATION

The Legislature should clarify how MDE should annually monitor school districts' and charter schools' progress with respect to World's Best Workforce.

The Legislature should amend *Minnesota Statutes* 2021, 120B.11, subd. 9(b), to clarify how MDE should determine whether school districts and charter schools are making sufficient progress in creating the world's best workforce. For example, the Legislature could require that MDE rely on school districts' and charter schools' reports of whether they met the goals in their World's Best Workforce plans (such as closing the achievement gap).²² Alternatively, the Legislature could direct MDE to review standardized testing data and other sources to compare student performance against department-determined benchmarks. The first option depends on the specific goals of each school district or charter school. The second option would use a more uniform set of standards across all districts and charter schools.

The Legislature should also define "sufficient progress" or require MDE to do so. Clarifying the definition of this term would impact MDE's ability both to monitor progress and to exercise its budget authority. In 2018, MDE identified the lowest-performing 10 percent of school districts and charter schools as not making sufficient progress under World's Best Workforce. For those identified districts, MDE provided support and required the use of up to 2 percent of their general education budgets on department-approved strategies. One could argue, however, that other districts and charter schools should also be progressing more and would benefit from MDE's enhanced assistance and oversight.

RECOMMENDATION

MDE should annually monitor school districts' and charter schools' progress toward their World's Best Workforce goals—including closing the achievement gap—and report the results to the Legislature.

²¹ Office of the Legislative Auditor, Program Evaluation Division, *Compensatory Education Revenue* (St. Paul, 2020), 64.

²² *Minnesota Statutes* 2021, 120B.11, subd. 9(c), requires that MDE annually report to the Legislature districts that have not met their World's Best Workforce goals. It is not clear, however, whether these two provisions are related or require MDE to use two separate processes to monitor school districts' and charter schools' progress.

Statutes clearly require that MDE determine which school districts and charter schools have not met their individually determined goals and report that list to the Legislature.²³ School districts and charter schools annually submit reports to the department that include each goal in the district's or charter school's World's Best Workforce plan, the baseline data the district or charter school is using to assess its progress toward the goal, and whether the goal was met. MDE could use these reports to annually determine which districts have met their goals related to the achievement gap.

An MDE administrator told us she questioned the value of reporting this information to the Legislature. World's Best Workforce goals are set locally, without MDE involvement, and the administrator explained that some school districts and charter schools may set ambitious goals while others may set narrowly focused or more easily obtainable objectives. As such, listing districts and charter schools that did not meet their goals might give an incomplete picture of their achievements. We suggest that in the future, MDE construct its annual *World's Best Workforce Report to the Legislature* in such a way that satisfies the law, but with additional context to help the Legislature understand the results. If MDE believes that it cannot provide a fair representation of districts' and charter schools' performance through the law's current requirements, the department should work with the Legislature to amend the statute.

²³ *Minnesota Statutes* 2021, 120B.11, subd. 9(c).

Chapter 4: Achievement and Integration for Minnesota

The Achievement and Integration for Minnesota program funds efforts to address the achievement gap in more than half of Minnesota’s traditional public school districts. Like World’s Best Workforce, the statutes authorizing Achievement and Integration assign the Minnesota Department of Education (MDE) responsibilities related to the program generally, rather than responsibilities specific to the achievement gap. As such, we evaluated MDE’s oversight of the Achievement and Integration program as a whole.

In this chapter, we explain the program and discuss how MDE oversees it, including approving Achievement and Integration plans and budgets. We then discuss the challenges MDE encounters in meeting statutorily imposed deadlines for its mandatory review of school districts participating in the program. We make recommendations for improvement throughout the chapter.



Achievement and Integration for Minnesota: Statutory Relationship to the Achievement Gap

One of the program purposes is to “**reduce academic disparities** based on students’ diverse racial, ethnic, and economic backgrounds in Minnesota public schools.”

Participating school districts must: (1) write a plan that includes at least one goal for **reducing disparities** in academic achievement, and (2) present to their communities data showing their progress in **reducing those disparities**, among other things.

MDE must evaluate the success of school district plans in **reducing academic disparities** and meeting other goals.

— *Minnesota Statutes 2021, 124D.861, subsds. 1(a), 2(a)(1), 3(b), and 5*

Overview

The 2013 Legislature enacted the Achievement and Integration for Minnesota program as a replacement for the Integration Revenue program, which had funded districts’ integration activities since the late 1990s.¹ The box at right shows the statutorily defined purposes of the Achievement and Integration program.

MDE’s most recent Achievement and Integration report to the Legislature showed that during the 2018-2019 school year, 170 Minnesota school districts (more



Achievement and Integration Statutory Goals:

- **Reduce academic disparities**
- Pursue racial and economic integration
- Increase student academic achievement
- Create equitable educational opportunities

— *Minnesota Statutes 2021, 124D.861, subd. 1(a)*

¹ *Laws of Minnesota 2013*, chapter 116, art. 3, sec. 29, codified as *Minnesota Statutes 2021, 124D.861 and 124D.862*. For more information about the Integration Revenue program, see Office of the Legislative Auditor, Program Evaluation Division, *School District Integration Revenue* (St. Paul, 2005).

than half of the state's 329 districts) participated in the program.² All of these were traditional public school districts; charter schools are not eligible to participate.



Protected student: a student who identifies as being African or Black American, Asian or Pacific American, Chicano or Latino American, American Indian or Alaskan Native, or multiracial.

Racially isolated district: a district in which the districtwide enrollment of protected students exceeds by more than 20 percentage points the enrollment of protected students of any adjoining district.

Racially identifiable school: a school with an enrollment of protected students that exceeds by more than 20 percentage points the districtwide average of protected students.

— *Minnesota Rules, 3535.0110, subps. 4, 6, and 7*

A school district's proportion of "protected" students determines whether it will be required to participate in the Achievement and Integration program. A district must participate if the district itself is deemed "racially isolated" (57 districts in the 2018-2019 school year) and/or it contains at least one "racially identifiable school" (16 districts). We define these terms in the box at left. Districts that are neither racially isolated nor contain a racially identifiable school may participate on a voluntary basis. Among the districts that voluntarily participated in Achievement and Integration, most (98 districts) adjoin a racially isolated district. MDE invited the adjoining districts to participate in order to partner with a district that is required to participate. Districts that do not adjoin a racially isolated district may also request approval from MDE to participate in the program (12 districts).³

School districts participating in the Achievement and Integration program (or their boards) must regularly submit three documents to MDE: (1) plans (which span three years), (2) budgets (showing how the district will use its Achievement and Integration revenue), and (3) annual progress reports.⁴ Exhibit 4.1 shows the requirements for the various goals, plans, budgets, and reports associated with Achievement and Integration.⁵

Districts that participate in the Achievement and Integration program receive state funding—supplemental to their general education funding—to help implement the strategies identified in their three-year plans. To receive this revenue, school districts must annually submit a detailed budget to MDE showing how they intend to use Achievement and Integration funds.⁶

In addition to the three-year Achievement and Integration plans and annual budgets, school districts also submit annual progress reports to MDE. The department uses these reports to monitor districts' progress in implementing the strategies specified in their three-year plans. Each year's progress report looks back at the past year, comparing those results to the original baseline and to the goals defined in their Achievement and Integration plan.

² Minnesota Department of Education, *Achievement and Integration Program Report* (Roseville, 2021), 8.

³ The numbers in this paragraph do not sum to the total of 170 participating school districts because some districts are *both* racially isolated *and* contain a racially identifiable school.

⁴ While the Achievement and Integration plan is different from the plan that all districts must write for World's Best Workforce, MDE encourages districts to align the goals in the two plans when appropriate.

⁵ In this chapter, any use of the terms "goals," "plans," "budgets," or "reports" should be taken to mean those associated with Achievement and Integration for Minnesota, unless otherwise specified.

⁶ *Minnesota Statutes* 2021, 124D.861, subd. 3(c).

While MDE staff review these progress reports annually, they place the greatest emphasis on the third and final progress report of a plan cycle. The third progress report shows whether, over the entire three-year implementation period, districts ultimately met their goals, at least one of which must be related to reducing the achievement gap. Districts that did not meet all of the goals in their Achievement and Integration plans must engage in “improvement planning,” which involves the district reflecting on its challenges and potentially coming up with new strategies to overcome those challenges during the subsequent three-year plan cycle.

Exhibit 4.1: The Achievement and Integration for Minnesota program requires a number of goals, plans, budgets, and reports.

Party Responsible	Description
Goals	
School district boards	Set goals as part of their Achievement and Integration plans ; plans must contain goals for: <ul style="list-style-type: none"> • Reducing disparities in academic achievement • Reducing disparities in equitable access to effective and more diverse teachers • Increasing racial and economic diversity and integration in schools and districts
Plans	
School district boards	Submit to MDE a three-year Achievement and Integration plan showing what strategies the district will implement to meet its goals
MDE and districts	Collaborate to develop an improvement plan for districts that failed to meet their goals at the end of the three-year plan described in the previous row
Budget	
School districts	Submit annual budgets to MDE showing how they will use their Achievement and Integration funding
Reports	
School districts	Submit annual progress reports to MDE demonstrating the districts' progress toward meeting their Achievement and Integration goals
MDE	Submits a biennial report to the Legislature. The report must contain the results of MDE's review of districts' success in: <ul style="list-style-type: none"> • Reducing disparities in student academic achievement • Improving equitable access to effective and diverse teachers • Realizing racial and economic diversity and integration

NOTES: "MDE" is the Minnesota Department of Education. With the exception of the annual report that school districts submit to MDE, these are all statutory requirements.

SOURCE: Office of the Legislative Auditor, analysis of *Minnesota Statutes* 2021, 124D.891; and 124D.892, subd. 9.

Minnesota statutes establish responsibilities for MDE related to reviewing Achievement and Integration plans, budgets, and school districts' progress toward their Achievement and Integration goals, as shown in the box at right. In the upcoming sections, we discuss some of these responsibilities in greater detail.



MDE Statutory Responsibilities with Respect to Achievement and Integration:

- Review and approve plans
- Review and approve budgets
- Review progress toward goals
- Develop improvement plans in consultation with districts
- Submit a biennial report to the Legislature

— *Minnesota Statutes* 2021, 124D.861, subs. 3(c) and 5; and 124D.862, subd. 8

MDE Approval of Plans and Budgets

When school districts submit their three-year Achievement and Integration plans and annual budgets to MDE, department staff review them to determine whether the plans and budgets align with each other and conform with requirements in statutes and rules. School districts must submit their budgets and plans for the upcoming school year to MDE by March 15. MDE must then review the budgets and either approve or disapprove them by June 1 of the same year.⁷ Minnesota statutes do not establish a date by which MDE must review the three-year Achievement and Integration plans.

MDE has provided useful reviews of school districts' Achievement and Integration plans.



[The staff of the] Achievement and Integration office understand the achievement gap and also provide districts with the support to address their district issues within their contexts, but also within the law. I think they have been extraordinary partners.

— Respondent to 2021 survey of school districts and charter schools

As part of our evaluation, we reviewed MDE's Achievement and Integration files for 50 school districts.⁸ The files we reviewed showed that MDE staff consistently communicated with school districts as part of the plan-review process. For example, MDE staff helped districts to better understand program requirements. In other instances, MDE requested clarifications or suggested revisions to help districts better align their three-year plans with requirements in law. We also observed MDE helping districts formulate measurable goals. Among the school district superintendents we surveyed to learn about MDE's role in addressing the achievement gap, 73 percent of those who responded to questions about Achievement and Integration said they found

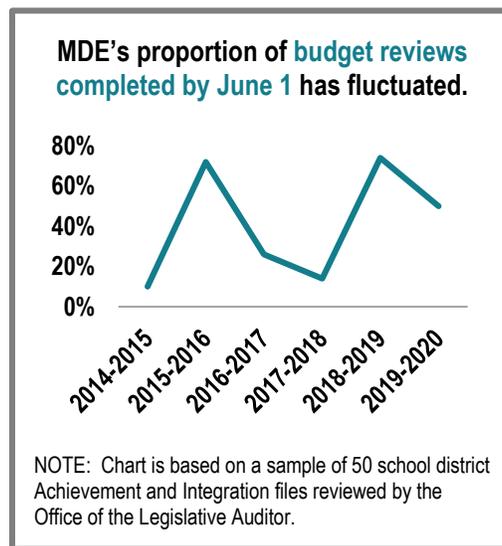
⁷ *Minnesota Statutes* 2021, 124D.861, subd. 3(c). MDE staff said they have rarely disapproved an Achievement and Integration budget. They said that, on occasion, they have partially approved a budget but disallowed certain expenditures. Generally, however, they work with districts to revise their documents until they meet the department's approval criteria.

⁸ This constituted 40 percent of the first cohort of 125 school districts to participate in Achievement and Integration. We did not review the files for the remaining districts, which began participating later and whose three-year plans were on a different cycle. For our review, we selected proportional numbers of school districts that were required to participate and those that participated voluntarily.

MDE’s support during the creation of their district’s Achievement and Integration plans to be either “somewhat” or “very” useful.⁹

MDE has not consistently met statutory deadlines for the review of Achievement and Integration budgets.

MDE’s prompt review of Achievement and Integration budgets gives school districts more time to implement the strategies they have selected to reduce the achievement gap and increase integration. We used our file review to determine, for several recent school years, the extent to which MDE satisfied the statutory requirement to complete its review of districts’ Achievement and Integration budgets by June 1 of the year they were received.¹⁰ We found that the proportion of budgets that received a timely review varied greatly, as shown in the box at right. For example, MDE completed just 10 percent of its budget reviews for the 2014-2015 school year by the June 1 deadline. On the other end of the spectrum, MDE completed 74 percent of its reviews of districts’ 2018-2019 budgets by the statutory deadline. The two years with the fewest timely budget reviews (10 percent for 2014-2015 budgets and 14 percent for 2017-2018 budgets) were the years for which MDE staff also had to review new three-year plans for that cohort of school districts.



MDE’s Progress Review Process

Minnesota statutes require that, at the end of the three-year plan, MDE review “the results of each district’s integration and achievement plan...to determine if the district met its goals.”¹¹ MDE does this through its review of the progress reports that each district submits after the final school year covered by a three-year plan has ended.

The results of MDE’s review determine whether a district must engage in “improvement planning.” If a district met all of its previous goals, statutes state that the district may create a new three-year plan that incorporates new goals for increasing integration and closing the achievement gap. If the district did not meet each of its goals, MDE and the district must collaborate to identify improvement strategies

⁹ In September and October 2021, we surveyed the superintendents or directors of 497 school districts and charter schools about MDE’s role in addressing the achievement gap. We received responses from 372 (75 percent) of those surveyed, 122 of which were from superintendents whose school districts participated in Achievement and Integration.

¹⁰ *Minnesota Statutes* 2021, 124D.861, subd. 3(c).

¹¹ *Minnesota Statutes* 2021, 124D.862, subd. 8(a).

designed to help the district meet the goals set forth in its previous Achievement and Integration plan.¹²

In the remainder of this section, we discuss concerns related both to the timing of MDE's process for reviewing school districts' progress and to the department's involvement in improvement planning. We then make recommendations to MDE and the Legislature.

Timing of MDE's Progress Review

Statutes require that MDE complete its review of districts' plan implementation, including whether districts met their goals related to the achievement gap, by August 1 after the third school year of the plan.¹³ For example, during the recent plan cycle that encompassed the 2017-2018 through 2019-2020 school years, MDE should have completed its review by August 1, 2020.

Statutes establish an impractical deadline for MDE to determine whether school districts have met their Achievement and Integration goals.

The August 1 deadline established in Minnesota statutes allows what is often less than two months for two potentially time-consuming events: (1) for school districts to submit their progress reports after the end of the third school year and (2) for MDE to review those reports and provide feedback to districts.¹⁴

The ability of school districts to report to MDE before August is further complicated by the fact that progress toward many school district goals—particularly those related to the achievement gap—are measured using standardized testing. Given that MDE often does not release the results of the Minnesota Comprehensive Assessments to districts until August of each year, school districts with such goals would be unable to report their progress to MDE prior to August 1.

Because the August 1 deadline is not feasible, MDE has established its own timeline for reviewing school districts' progress toward their goals; however, this timeline is also problematic for school districts. MDE requires districts to submit their progress reports by December 15 following the end of the plan. (In other words, a district would submit its progress report for the three-year plan ending in June 2020 by December 15, 2020.) MDE typically reviews progress reports within two to three months of receiving them—by February or March. As we have discussed previously, however, school districts submit their Achievement and Integration budgets for the upcoming school year to

¹² *Minnesota Statutes* 2021, 124D.862, subs. 8(a)-(c)(1). "Improvement strategies" is not a term defined in Minnesota statutes. We use the term in this report to refer to the strategies and practices included in a district's improvement plan. Improvement strategies are relevant only for districts that did not meet all of their Achievement and Integration goals and must engage in improvement planning.

¹³ *Minnesota Statutes* 2021, 124D.862, subd. 8(a).

¹⁴ For the purposes of our discussion in this chapter, "school year" refers to the period between Labor Day and June 30, which are the bounds of the traditional school-year calendar. Charter schools, schools with approved learning-year programs, and others may have earlier start dates. Schools may end earlier than June 30 as long as they have provided a sufficient number of instructional hours (up to 1,020 hours, depending on grade level).

MDE by March 15. Receiving MDE’s progress report feedback in February or March may leave school districts insufficient time to engage in improvement planning before the next budget deadline.

RECOMMENDATION

The Legislature should amend the statutory deadline by which MDE must review school districts’ progress toward Achievement and Integration goals.

The statutory deadline for MDE’s review of school districts’ progress is too early to be feasible, and MDE’s timeline is too late to provide useful feedback to school districts. We suggest that the Legislature amend *Minnesota Statutes 2021, 124D.862, subd. 8*, to codify a compromise between the two approaches: the Legislature should require school districts to submit their progress reports by September 15, and require MDE to review the reports and provide feedback to the districts by January 1. A September 15 submission date for progress reports would allow school districts enough time to incorporate standardized testing data in their progress report submissions to MDE. Receiving MDE’s feedback by the first of the year would give school districts sufficient time to engage in improvement planning before submitting their next Achievement and Integration budgets on March 15.

Improvement Planning

Minnesota statutes require that:

If a district has not met its goals [based on MDE’s review at the conclusion of the three-year plan], *the commissioner must...develop* a district improvement plan and timeline, in consultation with the affected district, that identifies strategies and practices designed to meet the district’s goals under this section and [World’s Best Workforce] [*emphasis added*].¹⁵

MDE does not develop—nor does it typically help districts develop—improvement plans for districts that did not meet the goals in their Achievement and Integration plans.

When districts fail to meet the goals in their three-year plans, MDE *does not* identify specific strategies for improvement or develop the improvement plans for the districts, as required by statutes. Nor does it consistently offer strategic guidance tailored to the individual school district. The department expects districts to lead the process; an MDE staff member told us the department consults only when a district explicitly requests assistance. The “improvement plan” itself typically takes the form of a brief narrative (500 words or less) written by the district.

¹⁵ *Minnesota Statutes 2021, 124D.862, subd. 8(c)*.

In the Achievement and Integration files we reviewed, MDE provided little individualized feedback on districts' progress reports.¹⁶ When MDE determined that a school district had not met the goals in its plan, MDE typically sent the district an e-mail listing which goals the district had not met. In most instances, these e-mails were formulaic and included little district-specific detail beyond restating the district's unmet goals. The standard language that MDE used in 2020 recommended that the district use an improvement planning guide created by MDE and requested that the district incorporate improvement strategies into its next budget submission. While the letter offered districts the opportunity to schedule a call or a virtual visit with MDE to discuss improvement planning, an MDE staff member told us that its Achievement and Integration program staff do not proactively reach out to individual districts. They said that MDE provides one-on-one assistance when school districts request help from MDE, but that districts that do not reach out to the department may "fall through the cracks."

Minnesota statutes assign MDE an unreasonable amount of ownership over developing improvement plans when school districts do not meet their Achievement and Integration goals.

For MDE to develop an improvement plan, as statutes require, department Achievement and Integration specialists would need to become experts in the circumstances of each district they work with, including understanding (1) the extent of the district's specific achievement gaps, (2) the district's goals and why the goals were selected, and (3) what strategies the district had tried before, among other things. Given the number of districts that have not fully met their achievement goals (more than 115 during the three-year plan cycle ending with the 2016-2017 school year), this level of involvement would require a significant increase in MDE resources.

MDE's authority to create improvement plans also comes with authority over school districts' Achievement and Integration budgets. Minnesota statutes require that MDE "use up to 20 percent [of a school district's Achievement and Integration funding]...to implement the [district's] improvement plan" until the district meets its plan goals, which must include closing the achievement gap.¹⁷

¹⁶ The 50 files we reviewed were for districts that have completed two Achievement and Integration plan cycles (ending with the 2016-2017 and 2019-2020 school years). We reviewed MDE's feedback on both sets of progress reports. For the cycle ending with the 2016-2017 school year, we reviewed MDE's feedback for the 47 school districts that failed to meet at least one of their Achievement and Integration goals; 2 districts met all of their goals and 1 district's file did not contain a letter with MDE's feedback. For the 2019-2020 school year, we reviewed MDE's feedback for 26 districts that did not meet all of their Achievement and Integration goals; 9 districts met all of their goals. The remaining 15 district files did not contain evidence that MDE provided feedback on the districts' 2019-2020 progress reports.

¹⁷ *Minnesota Statutes* 2021, 124D.862, subd. 8(c)(2).

RECOMMENDATIONS

The Legislature should amend Minnesota statutes to shift primary responsibility for Achievement and Integration improvement planning from MDE to school districts.

MDE should take a more active role in helping school districts develop their Achievement and Integration improvement plans.

The Legislature should amend *Minnesota Statutes 2021*, 124D.862, subd. 8(c)(1), to require *school districts* to create improvement plans *with MDE involvement*. For example, the Legislature could revise the law to state that the commissioner must “*guide* the district in the development of an improvement plan and timeline...,” rather than develop the plan itself. We suggest a similar clarification to subd. 8(c)(2), which states that if the district has not met its goals, MDE must “use up to 20 percent of the district’s integration revenue...to implement the improvement plan.”¹⁸ Since it is school districts, rather than MDE, that use Achievement and Integration funding, we suggest that the Legislature amend the statute to say that MDE must “direct the school district to use up to 20 percent” (or another amount of the Legislature’s choosing) to implement its improvement plan.

While we believe that school districts should continue to develop their own Achievement and Integration improvement plans, we think that MDE *should* play a more active role in plan development. Department staff should work with each participating school district to help identify promising and applicable strategies to address the achievement gap and increase integration. This may require a greater investment in resources; currently, MDE has two staff people handling the department’s responsibilities related to the Achievement and Integration program.

¹⁸ *Minnesota Statutes 2021*, 124D.862, subd. 8(c)(2).



OLA

Chapter 5: American Indian Education

The mission of the Minnesota Department of Education’s (MDE’s) Office of American Indian Education is to work to “strengthen and promote positive experiences and educational outcomes for American Indian students statewide.”¹ Given that some of Minnesota’s largest achievement gaps are between non-Hispanic White students and American Indian students, the work of the office is critical in MDE’s efforts to address the achievement gap. MDE has several statutory responsibilities related to American Indian education, as listed in the box below.²



American Indian Education: Statutory Relationship to the Achievement Gap

The director of MDE’s Office of American Indian Education must develop a strategic plan and long-term framework for American Indian education, updated every five years. The framework must include as one of its goals to:

- **Close the achievement gap** between American Indian students and their more advantaged peers.

— *Minnesota Statutes 2021, 124D.791, subd. 4(6)(iii)*

In this chapter, we discuss MDE’s responsibility to involve the American Indian community with its policy decisions, including developing strategies for reducing the achievement gap. We then examine one of the few instances in which Minnesota statutes assign MDE a particular responsibility related to the achievement gap: to develop a strategic plan to address “the achievement gap between American Indian students and their more advantaged peers.”³



MDE Statutory Responsibilities with Respect to American Indian Education:

- Develop a strategic plan for American Indian education including a **goal to address the achievement gap**
- Consult with the American Indian community on policies that affect American Indian education
- Evaluate the state of American Indian education in Minnesota
- Approve district and charter school plans for the American Indian Education Aid Program
- Provide relevant technical assistance to districts, charter schools, and others
- Help approve teacher preparation programs for teachers of American Indian language and culture

— *Minnesota Statutes 2021, 124D.75, subd. 5; and 124D.79, subds. 1, 2, and 4*

¹ Minnesota Department of Education, American Indian Education, <https://education.mn.gov/mde/dse/indian/>, accessed July 12, 2021.

² These responsibilities include not only those that statute assigns to MDE’s commissioner, but also those that they assign to the “Indian education director,” who is an MDE employee. We refer to the Indian education director as the director of the Office of American Indian Education throughout this chapter.

³ *Minnesota Statutes 2021, 124D.791, subd. 4(6)(iii)*.

Outreach to the American Indian Community

Like all Minnesota cabinet-level agencies, state statutes require MDE to hold formal government-to-government consultation with each of Minnesota's 11 federally recognized American Indian tribes on at least an annual basis.⁴ Further, statutes outline several MDE responsibilities related to reaching out to specific American Indian stakeholder groups or the community more broadly. These include: (1) seeking consultation with the Tribal Nations Education Committee on all issues relating to



Tribal Nations Education Committee:

A committee consisting of representatives appointed by each of the 11 tribal nations of Minnesota, as well as one representative each from the Twin Cities metropolitan area, greater Minnesota, and the Minnesota Chippewa Tribe. Per Minnesota statutes, MDE must consult with the committee regarding American Indian education programs, policy, and all matters related to educating Minnesota's American Indian students.

— *Minnesota Statutes 2021, 124D.73, subd. 3*

American Indian education, and (2) providing for the maximum involvement of the American Indian community in forming policies related to American Indian education.⁵ In addition, Minnesota statutes require the director of the Office of American Indian Education to serve as a liaison to the Tribal Nations Education Committee.⁶ While the statutes do not explicitly link MDE's outreach responsibilities to the achievement gap, input from the American Indian community is important to inform MDE's understanding of the extent of the achievement gap and how it might be addressed.

While MDE has involved the American Indian community when developing policy and procedures relating to American Indian education, there remains room for improvement.

MDE staff told us that the department involves the American Indian community in its policy making in a number of ways, as shown in Exhibit 5.1. However, while MDE has complied with the letter of the law in terms of outreach to the American Indian community, one member of the Tribal Nations Education Committee suggested that MDE could do a better job incorporating the feedback it receives. For example, the member said that MDE tends to introduce new proposals related to American Indian education each year, despite the fact that the Tribal Nations Education Committee remains committed to its original slate of proposals to address the achievement gap.

⁴ *Minnesota Statutes 2021, 10.65, subds. 3(d)-(e)*, require MDE to consult with each of the 11 Minnesota Tribal governments “on legislative and fiscal matters that affect one or all Minnesota Tribal governments or their members to identify priority issues in order to allow agencies to proactively engage Minnesota Tribal governments in the agency’s development of legislative and fiscal proposals.”

⁵ *Minnesota Statutes 2021, 124D.79, subds. 1 and 4*. We are using the term “community” to encompass several stakeholders listed in statute, including members of the Tribal Nations Education Committee, parents of American Indian children, secondary students eligible to be served by American Indian education programs, teachers of American Indian language and culture, and American Indian educators, among others.

⁶ *Minnesota Statutes 2021, 124D.791, subd. 4(1)*.

Exhibit 5.1: MDE has a number of statutory responsibilities related to outreach to the American Indian community.

Statutory Responsibility	How MDE Fulfills Responsibility
<p><i>Government-to-Government Consultation</i></p> <p>An agency must consult with each Minnesota tribal government at least annually, and as often as is required to address matters that have tribal implications.</p>	<p>MDE reports that it annually conducts government-to-government consultations with each of Minnesota's 11 federally recognized tribes.</p>
<p><i>Consultation with Tribal Nations Education Committee</i></p> <p>MDE must seek consultation with the Tribal Nations Education Committee on all issues relating to American Indian education.</p> <p>The director of MDE's Office of American Indian Education must serve as a liaison to the Tribal Nations Education Committee.</p>	<p>MDE administrators and staff, along with MDE Office of American Indian Education staff, regularly present to and seek guidance from the Tribal Nations Education Committee regarding tribal nations' needs and views about the education system in Minnesota as it relates to the state's American Indian community.</p> <p>The director of the Office of American Indian Education serves as the liaison to the committee.</p> <p>MDE's commissioner has established quarterly meetings with the Tribal Nations Education Committee.</p>
<p><i>Consultation with Broader American Indian Community</i></p> <p>The director of MDE's Office of American Indian education must seek advice from the American Indian community on policies that can improve the quality of American Indian education in Minnesota.^a</p> <p>MDE must provide for the maximum involvement of the American Indian community in forming policies related to American Indian education.</p> <p>MDE must annually hold a field hearing to gather input on education matters from the American Indian community.</p>	<p>MDE holds listening sessions during the Minnesota Indian Education Association conference each year during which the commissioner and Office of American Indian Education staff solicit input from attendees to help create legislation designed to address attendees' needs and concerns regarding matters related to American Indian education in Minnesota.</p>

NOTE: "MDE" is the Minnesota Department of Education.

^a We are using the term "community" to encompass several stakeholders listed in statute, including members of the Tribal Nations Education Committee, parents of American Indian children, secondary students eligible to be served by American Indian education programs, teachers of American Indian language and culture, and American Indian educators, among others.

SOURCE: Office of the Legislative Auditor, review of *Minnesota Statutes* 2021, 10.65, subd. 3(d); 124D.79, subds. 1 and 4; 124D.791, subd. 4(1) and (3); and interviews with Minnesota Department of Education staff and administrators.

Similarly, the Tribal Nations Education Committee member told us that there have been occasions when MDE's final decisions regarding specific American Indian education concerns were significantly different from potential approaches or solutions MDE had discussed with each tribe during their individual tribal consultations. Another member said that MDE often consults with the Tribal Nations Education Committee retrospectively, rather than proactively. She said that MDE frequently has approached

the committee after it has created a plan, rather than involving the committee in the creation process. These members wished MDE would consult with tribes more proactively throughout the department's planning and revision processes, particularly when MDE modifies plans significantly after the initial discussion with a tribe has occurred.

The Tribal Nations Education Committee members we spoke with acknowledged that MDE has improved the frequency of and commitment to its interaction with the committee by regularly attending monthly committee meetings and establishing additional quarterly meetings between the commissioner and the committee.

Strategic Plan for American Indian Education

American Indian education is one of the few instances in which statutes direct MDE to develop a vision for how to address the achievement gap. Since 2013, statutes have required that the department “develop a strategic plan and a long-term framework for American Indian education, in conjunction with the Minnesota Indian Affairs Council, that is updated every five years and implemented by the commissioner.”⁷ The law lists five goals that the plan must incorporate, including closing “the achievement gap between American Indian students and their more advantaged peers.”⁸ We list the five goals in the box at right.



The American Indian education strategic plan must contain the following goals:

- **Close the achievement gap** between American Indian students and their more advantaged peers
- Increase American Indian student achievement, including increased levels of proficiency and growth on statewide accountability assessments
- Increase the number of American Indian teachers in public schools
- Increase the statewide graduation rate for American Indian students
- Increase American Indian student placement in postsecondary programs and the workforce

— *Minnesota Statutes 2021, 124D.791, subd. 4(6)*

MDE does not have a strategic plan specific to American Indian education that, among other things, addresses the achievement gap.

MDE's department-wide strategic plan mentions each of the goals that statutes say should be included in a strategic plan for American Indian education. However, we do not think MDE's strategic plan qualifies as a plan specifically *for* American Indian education. Instead, MDE's broad strategic plan groups American Indian students with students from other demographic groups, including students of color, students receiving free or reduced-price lunch, and English learners, among others. The plan's goals and strategies for all of these student groups are the same, regardless of the challenges that

⁷ *Laws of Minnesota* 2013, chapter 116, art. 3, sec. 28, codified as *Minnesota Statutes* 2021, 124D.791, subd. 4(6).

⁸ *Minnesota Statutes* 2021, 124D.791, subd. 4(6).

may be unique to each group in closing the achievement gap. The following example shows how most goals (which the plan calls “key results”) are formulated:

Close gaps in student achievement by increasing 3rd grade reading [proficiency] to 79 percent overall, and to at least 64 percent for students of color, American Indian students, low-income students, English learners, students receiving special education services, migrant students, and homeless students.⁹

Minnesota statutes uniquely require MDE to write a strategic plan for American Indian education—there are not comparable requirements for the department to develop a strategic plan for students from other specific demographic groups. However, MDE’s current strategic plan clusters together students from various demographic groups. As a result, the department’s strategic plan does not take into consideration that strategies to improve the performance of one group of students may be different from strategies that would help improve the performance of another group of students.

MDE administrators told us that statutes do not require the strategic plan for American Indian education to take a specific form and that it need not be a standalone document. They believe that because the department-wide strategic plan mentions each of the required goals for American Indian education in some form, the plan satisfies the statutory requirement. However, we observed that the MDE plan mentions some of the required goals not as *goals*, but as *strategies* to accomplish other goals. For example, “launch and expand programs to specifically recruit teachers of color and indigenous teachers” is a strategy for achieving the objective “every student deserves to learn in a classroom with caring, qualified teachers.”¹⁰ The plan does not, however, provide strategies for how to go about increasing the number of American Indian teachers. Exhibit 5.2 shows how MDE’s department-wide plan addresses each of the five goals for American Indian education listed in statute.

In 2019, MDE established an Indigenous Education Task Force, made up of staff from across MDE, as well as members of the Tribal Nations Education Committee. In late 2019, the task force held a strategic planning retreat to determine a strategy to substantially increase MDE’s effectiveness when working with indigenous communities. However, the documents from that retreat reflect discussion of only one of the five statutory goals—to increase the number of American Indian teachers in public schools; none of the documents made specific mention of the achievement gap. While MDE had originally scheduled additional strategic planning work to occur throughout 2020, its efforts were derailed by the COVID-19 pandemic and other internal priorities.

⁹ Minnesota Department of Education, *Minnesota Department of Education Strategic Plan* (Roseville, 2021), 5.

¹⁰ *Ibid.*, 7.

Exhibit 5.2: MDE’s department-wide strategic plan does not fully address all of the statutory goals required for an American Indian education strategic plan.

Goal Required by Statute	Extent to Which MDE’s Strategic Plan Addresses Goal
Increase American Indian student achievement, including increased levels of student growth and proficiency on statewide accountability assessments	<p>Objective: every student deserves a world-class education</p> <ul style="list-style-type: none"> • Key result: increase proficiency targets for <i>all</i> underperforming groups in 8th grade math (63 percent proficiency), 5th grade science (65 percent proficiency), and 3rd grade reading (64 percent proficiency) • The strategic plan <i>does not address</i> student growth
Increase the number of American Indian teachers in public schools	<p>Objective: every student deserves to learn in a classroom with caring, qualified teachers</p> <ul style="list-style-type: none"> • Strategy: launch and expand programs specifically to recruit indigenous teachers and teachers of color <p>Objective: every student deserves a world-class education</p> <ul style="list-style-type: none"> • Strategy: implement American Indian Education for All by providing curricular resources endorsed by tribal nations
Close the achievement gap between American Indian students and their more advantaged peers	<p>Plan introduction: explains that closing the achievement gap (for many demographic groups) is a primary goal of the plan</p> <p>Objective: every student deserves a world-class education</p> <ul style="list-style-type: none"> • Key result: close achievement gaps by increasing proficiency rates for underperforming groups (as discussed in first row)
Increase the statewide graduation rate for American Indian students	<p>Objective: every student deserves a world-class education</p> <ul style="list-style-type: none"> • Key result: increasing the graduation rate to 85 percent for all underperforming groups
Increase American Indian student placement in postsecondary programs and the workforce	<p>Objective: every student deserves a world-class education</p> <ul style="list-style-type: none"> • Strategy: expand opportunities to prepare underperforming groups for career or college

NOTES: “MDE” is the Minnesota Department of Education. The strategic plan is arranged around four “objectives,” with “key results” for each objective followed by “strategies” to achieve them. When the strategic plan establishes proficiency targets and other key results, it typically establishes a single target for all underperforming student groups: students of color, American Indian students, low-income students, English learners, students receiving Special Education services, migrant students, and homeless students.

SOURCE: Office of the Legislative Auditor, analysis of *Minnesota Statutes* 2021, 124D.791, subd. 4(6); and Minnesota Department of Education, *Minnesota Department of Education Strategic Plan* (Roseville, 2021).

RECOMMENDATION

MDE should develop a strategic plan and long-term framework for American Indian education that meets the requirements in statute, including approaches to reduce the achievement gap.

While MDE has begun a strategic planning process for American Indian education, there is work left to do. The department should resume its strategic planning process and develop a strategic plan and long-term framework for American Indian education that addresses each of the five goals listed in statute. The strategic plan for American Indian education should align with the broader department-wide goals, but should contain more specificity for American Indian education and American Indian students. It should flesh out the strategies that MDE will use to achieve the goals required by statute and should include intermediate milestones with target dates to better track progress towards reducing the achievement gap.

In creating the strategic plan for American Indian education, MDE should actively solicit input from both internal and external stakeholders to ensure perspectives of the American Indian community are not only heard but incorporated into the plan. A Tribal Nations Education Committee member we spoke with noted that there are cultural differences among the American Indian student populations throughout the state, stating that what may work in one place may not be as successful elsewhere. For example, in the Twin Cities metro area, schools may work with students from a mix of tribes, whereas the American Indian student population in schools located in the northern part of the state may be more homogeneous and the students may mostly come from the same nearby tribe. As a result, strategies that MDE identifies to address the achievement gap must be culturally sensitive and adaptable for different groups of American Indian students.



OLA

Chapter 6: Regional Centers of Excellence

The Regional Centers of Excellence help schools address the achievement gap by providing tailored, ongoing support for schools identified as needing improvement through the Every Student Succeeds Act (ESSA).¹ Minnesota Department of Education (MDE) has reported that this approach has been successful in improving student achievement.

In this chapter, we explain the Regional Centers of Excellence, their role in addressing the achievement gap, and their impact on schools. We then discuss MDE’s statutory responsibilities related to the regional centers. We also suggest that the Legislature consider expanding eligibility for access to the Regional Centers of Excellence as one approach to reducing the achievement gap.



Regional Centers of Excellence: Statutory Relationship to the Achievement Gap

Centers must work with school site leadership teams to build the expertise and experience to **implement programs that close the achievement gap**.

— *Minnesota Statutes 2021, 120B.115(a)*

Overview

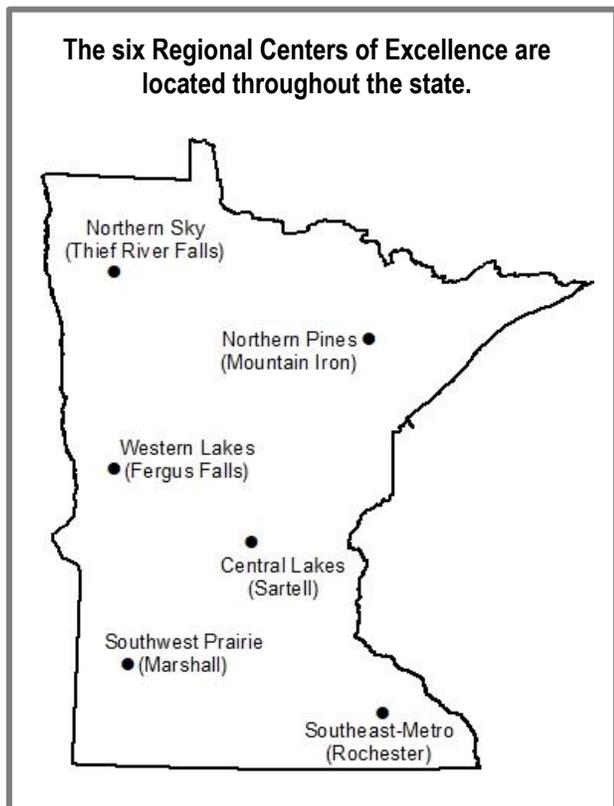
The Regional Centers of Excellence were established by the 2013 Legislature to “assist and support school boards, school districts, school sites, and charter schools in implementing research-based interventions and practices to increase the students’ achievement within a region.”² Statutes require that the regional centers support school leadership teams in implementing programs that reduce the achievement gap.³ Statutes further direct the regional centers to establish a statewide system of regional support—including consulting, training, and technical support—to help the school districts and charter schools that utilize their services implement World’s Best Workforce goals and other state and federal education initiatives.⁴

¹ Every Student Succeeds Act (ESSA) of 2015, 20 *U.S. Code*, secs. 6303(a)-(b) and 6311(c)(4)(D) (2020). Under ESSA, all states must have a statewide accountability system to identify low-performing schools and to help provide all children the opportunity to receive a fair, equitable, and high-quality education, and to close educational achievement gaps.

² *Laws of Minnesota* 2013, chapter 116, art. 2, sec. 7, codified as *Minnesota Statutes* 2021, 120B.115(a).

³ *Minnesota Statutes* 2021, 120B.115(a).

⁴ *Ibid.*, (b).



The six Regional Centers of Excellence, shown in the box at left, operate out of service cooperatives and are staffed by about 60 nonstate employees.⁵ Even though the regional centers are not staffed by MDE employees, MDE helps guide and support the regional centers' work in various ways, which we discuss in a subsequent section.

According to statute, the Regional Centers of Excellence must work with school site leadership teams to close the achievement gap, among other things, as shown in the box below.⁶ The Regional Centers of Excellence do this by offering support through content specialists in the areas of reading, math, equity, special education, high school reform and graduation support, and English learning, among others. The staff of the Regional Centers of Excellence may also have relevant experience, such as previously holding school leadership roles or having social work experience. Regional center staff can offer schools many types of support to help address the achievement gap, such as providing professional development, conducting needs assessments, identifying appropriate evidence-based

interventions and strategies, and developing and implementing support and improvement plans.

Regional center staff also assist schools with their instructional needs by helping school staff understand academic standards and ensuring that students receive instruction that meets those standards. In addition, regional center staff work with teachers to review outcome data and help them understand which students are mastering content and which are not. Regional center staff visit schools as needed, sometimes as frequently as one or two times each week.



The Regional Centers of Excellence must work with school site leadership teams to:

- Build the expertise and experience to implement programs that **close the achievement gap**
- Provide effective programs and instruction for different types of English learners
- Increase students' progress and growth toward career and college readiness
- Increase student graduation rates

— *Minnesota Statutes 2021, 120B.115(a)*

⁵ The Regional Centers of Excellence operate out of six different regional service cooperatives. Minnesota service cooperatives (of which there are nine total) provide regional delivery of education and other services to meet the needs of their members, which include school districts, other local units of government, and nonprofit organizations. Noneducational services include, for example, various types of insurance, which members can access more affordably through the service cooperatives than they can on their own.

⁶ *Minnesota Statutes 2021, 120B.115(a).*

As we discussed in Chapter 1, MDE identifies schools that need additional support as part of the statewide ESSA plan. The Regional Centers of Excellence provide ongoing, onsite technical support, known as “comprehensive support” to (1) schools that are among the 5 percent lowest-performing Title I schools in Minnesota, as measured by academic proficiency, academic growth, and consistent attendance, and (2) public high schools (Title I and otherwise) with four-year graduation rates below 67 percent (overall or for any student group).⁷ MDE identified approximately 200 schools for comprehensive support in 2018. MDE identified an additional approximately 160 schools which were either (1) any school in which particular student groups performed below MDE’s thresholds for academic achievement, academic growth, and consistent attendance or (2) Title I schools that were low on just test-based and graduation indicators. These were eligible to receive “targeted support,” which involved support from their districts and professional development from the regional centers.

Because the bulk of their funding comes from Title I grants, the Regional Centers of Excellence work predominantly with ESSA-identified schools.⁸ The regional centers also receive smaller amounts of additional federal funding, as well as \$1 million annually from the Minnesota Legislature. These additional funding sources provide center staff with the flexibility to work on a limited basis with schools and districts not identified under ESSA.



Due to the fact that the Regional Centers of Excellence receive much of their funding through Title I grants, they work predominantly with ESSA-identified schools, as opposed to school districts.

Impact of the Regional Centers of Excellence

The Regional Centers of Excellence have had a positive impact on the school districts and charter schools with which they partner.

MDE has reported that the Regional Centers of Excellence model has been successful in improving student achievement. According to Minnesota’s ESSA plan, nearly 20 percent of schools that worked with a regional center from 2012 to 2015 showed enough improvement in student growth that they were among the top 25 percent of Title I schools with respect to several measures, including proficiency,

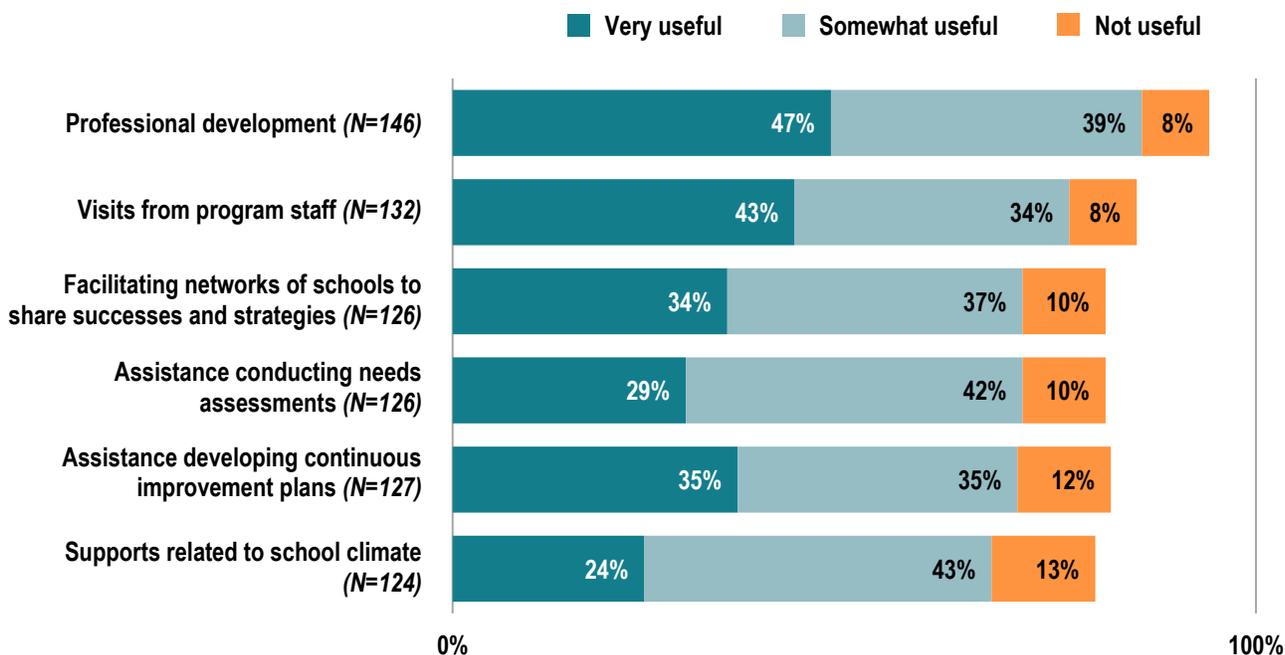
⁷ “Title I schools” are schools that receive funding under Title I of ESSA. Title I provides financial assistance to local educational agencies with students from low-income families to help ensure that all children meet challenging state academic standards. With a few additional considerations, a school is eligible to receive Title I funding if the school’s percentage of students who are eligible for free or reduced-price lunch is greater than the districtwide average of eligible students.

⁸ States distribute the bulk of their Title I allocation directly to districts that contain Title I schools. However, states may use up to 7 percent of the total Title I allocation to make grants to intermediate districts, service cooperatives (such as those that host the Regional Centers of Excellence), and other organizations that support ESSA-identified schools. In state Fiscal Year 2022, Minnesota received more than \$179 million in Title I, Part A, funding, nearly \$9 million of which it distributed to the Regional Centers of Excellence. Every Student Succeeds Act (ESSA) of 2015, 20 U.S. Code, sec. 6303(a)-(b) (2020).

student growth, achievement gap reduction, and graduation rates.⁹ Further, MDE reported that schools that received support from the regional centers outperformed other Title I schools in growth in proficiency rates, student academic growth, and achievement gap reduction in 2016.

We surveyed school district superintendents and charter school directors about the state’s efforts to address the achievement gap.¹⁰ As Exhibit 6.1 shows, a large majority of survey respondents found the support the regional centers provide, such as professional development, to be “somewhat” or “very” useful.

Exhibit 6.1: Most survey respondents found the support they received from the Regional Centers of Excellence to be useful.



NOTES: We surveyed all school district superintendents and charter school directors, 75 percent of whom (372) completed the questionnaire. The “N” for each bar shows the number of respondents who expressed an opinion. The remaining respondents selected “not applicable” or did not respond to the question. The prompt for this question was: “The list below names services that the Regional Centers of Excellence currently provide school districts and charter schools. Please indicate the extent to which these supports have been useful with respect to addressing the achievement gap.”

SOURCE: Office of the Legislative Auditor, survey of school district superintendents and charter school directors, 2021.

⁹ Minnesota Department of Education, *Minnesota’s Consolidated State Plan Under the Every Student Succeeds Act (ESSA)*, “Title I, Part A: School Support” (Roseville, 2021), 8. In 2015, MDE measured school performance using its Multiple Measurements Rating system. That system has since been replaced by North Star Excellence and Equity System, which measures schools using similar criteria.

¹⁰ In September and October 2021, we surveyed the superintendents or directors of 479 school districts and charter schools. We received responses from 372 (75 percent) of those surveyed, 155 of whom responded to the questions about the Regional Centers of Excellence.



Regional Centers of Excellence staff “are willing to find us resources, help us align plans, and actually answer our phone calls and know us...they are working hard to be a thought[ful] partner with us to help guide us.”

— Respondent to 2021 survey of school districts and charter schools

The survey respondents were overwhelmingly positive in their comments about the Regional Centers of Excellence and the impact they have on their work to address the achievement gap. Among those who volunteered additional comments related to the support they received from the regional centers, some respondents indicated that they wished they could continue working with the regional centers long-term, or that the centers could provide support for schools within their district that were not identified for support under ESSA.

MDE’s Statutory Responsibilities

As discussed previously in this report, MDE does not have many specific statutory responsibilities related to the achievement gap. This is especially true in the context of the Regional Centers of Excellence. While MDE does not perform the work of the Regional Centers of Excellence, statutes require the department to support the regional centers, as shown in the box at right.¹¹

Although these statutory requirements do not directly address the achievement gap, MDE’s support does impact the work the regional centers do to reduce disparities. To learn more about this relationship, and to determine whether MDE has satisfied its statutory obligation to support the regional centers, we spoke with the directors of the regional centers, as well as MDE staff.



MDE Statutory Responsibilities with Respect to the Regional Centers of Excellence:

- Help meet staff, facilities, and technical needs
- Provide the centers with programmatic support
- Work with the centers to establish a coherent statewide system of regional support

— *Minnesota Statutes 2021, 120B.115(b)*

MDE has satisfied its statutory requirements related to the Regional Centers of Excellence.

Statutes require that MDE assist regional center staff by providing technical assistance and programmatic support. MDE staff fulfill this requirement by providing, among other things, formal professional development, as-needed technical assistance, and programmatic support in the areas of data assessment, evaluation, and accountability measures. MDE also plays a role in determining regional center personnel needs and participates in the hiring process.

The regional center directors reported that they are largely satisfied with the support MDE provides. They confirmed that, although MDE does not staff the regional centers, MDE employees regularly collaborate with regional center staff. For example, certain MDE staff members regularly answer questions for regional center staff, especially in the areas of math and reading instruction and curriculum. In addition, MDE staff have

¹¹ *Minnesota Statutes 2021, 120B.115(b).*

attended some regional center meetings to learn what types of professional development staff at the regional centers need.

In terms of professional development, MDE annually provides three professional development opportunities for Regional Centers of Excellence staff. A regional center director also said that if MDE provides its own staff with training that is relevant to the regional centers, the department invites center staff to attend. Likewise, the Regional Centers of Excellence do the same for their MDE partner staff.

Recommendation

RECOMMENDATION

The Legislature should consider making the services of the Regional Centers of Excellence more widely available.

The Regional Centers of Excellence are limited in the number of schools they can support, both by the size of their staff and by the source of their funding (mostly Title I grant money). While MDE has reported and the responses to our survey show that the regional centers provide a helpful and effective service—including when it comes to reducing the achievement gap—the centers currently support only about 360 of the more than 2,100 traditional and charter schools in Minnesota.

Given that the Regional Centers of Excellence have been shown to positively impact schools' efforts in addressing the achievement gap, we think that additional schools and districts could benefit if the Legislature supported an expansion of the regional center model. Many of the MDE staff and Regional Centers of Excellence directors we spoke with supported the idea of expanding regional center services. One regional center director pointed out that many schools that are not ESSA-identified could benefit from the same supports the centers provide. Some people associated with the regional centers told us that schools and districts might have more success addressing the achievement gap if they had access to proactive support, rather than having access only after they have been identified as low-performing schools. A regional center director said that making the services more widely available would lessen the stigma associated with being identified for support.

Expanding the regional center model would require additional resources, and the Legislature may choose not to make this type of an investment. Another approach would be for the Legislature to expand access to regional center-style services on a pilot basis within MDE. This would allow the Legislature, MDE, and the regional centers to determine whether the benefits of this model would still be realized when delivered by MDE. Representatives of both MDE and the regional centers told us that if the regional center model were to be expanded, it might matter less where the program is housed than whether adequate resources—including staff and the administrative capacity necessary to support and oversee them—are provided.

List of Recommendations

- To ensure a common understanding among policy makers, the Minnesota Department of Education (MDE), school districts, and charter schools, the Legislature should define “achievement gap” in law. (p. 20)
- The Legislature should consider more explicitly defining MDE’s responsibilities with respect to addressing the achievement gap. (p. 21)
- MDE should better communicate the availability of resources to support school districts and charter schools. (p. 30)
- The Legislature should clarify how MDE should annually monitor school districts’ and charter schools’ progress with respect to World’s Best Workforce. (p. 31)
- MDE should annually monitor school districts’ and charter schools’ progress toward their World’s Best Workforce goals—including closing the achievement gap—and report the results to the Legislature. (p. 31)
- The Legislature should amend the statutory deadline by which MDE must review school districts’ progress toward Achievement and Integration goals. (p. 39)
- The Legislature should amend Minnesota statutes to shift primary responsibility for Achievement and Integration improvement planning from MDE to school districts. (p. 41)
- MDE should take a more active role in helping school districts develop their Achievement and Integration improvement plans. (p. 41)
- MDE should develop a strategic plan and long-term framework for American Indian education that meets the requirements in statute, including approaches to reduce the achievement gap. (p. 49)
- The Legislature should consider making the services of the Regional Centers of Excellence more widely available. (p. 56)



OLA



March 2, 2022

Minnesota Department of Education
400 NE Stinson Blvd.
Minneapolis, MN 55413

Judy Randall
Legislative Auditor
Office of the Legislative Auditor
140 Centennial Building 658 Cedar Street
St. Paul, MN 55155

Via E-Mail - Legislative.Auditor@state.mn.us

Dear Ms. Randall,

Thank you for the opportunity to comment on the Office of the Legislative Auditor's ("OLA") evaluation report of four programs: World's Best Workforce,¹ Achievement and Integration for Minnesota,² American Indian Education,³ and Regional Centers of Excellence.⁴ The Minnesota Department of Education (the "Department" or "MDE"), appreciates the time and effort that was put into the review of these programs, as well as the collegial and collaborative process through which OLA engaged MDE. The Department agrees with the OLA's assessment and findings that MDE is best positioned to help districts and schools close the achievement gap when it is provided the resources and allowed to directly support schools.

While MDE is glad to have the opportunity to review and reflect on past performance, there remain portions of the report to which the Department takes exception. First, the Department believes that the report's title does not reflect the content of the report. Second, MDE believes the report lacks key context about the funding mechanisms for each of the programs, and the Department as a whole. Third, the Department continues to disagree with the OLA's statutory interpretation of Minn. Stat. §120B.11, subd. 9(b). Fourth, MDE has a different view of the proper structure of the American Indian Education strategic plan. Fifth, MDE disagrees with the overall comments about the Department's strategic plan. And finally, MDE believes that the report's findings

¹ Minn. Stat. § 120B.11.

² Minn. Stat. § 124D.861.

³ Minn. Stat. § 124D.791

⁴ Minn. Stat. § 120B.115.

with respect to Regional Centers of Excellence (RCE) should include recommendations for the role of MDE reflective of the feedback of districts and schools.

I. Report Title

At the outset, the Department would like to raise concerns about the title of the report: Minnesota Department of Education’s Role in Addressing the Achievement Gap.⁵ The causes and persistence of the achievement gap are complicated and multifaceted.⁶ As a state agency, MDE has a responsibility to address the systemic structures, processes, and barriers that have resulted in persistent achievement gaps. This report does not cover the full depth and breadth of the agency’s leadership in this area nor does it outline the specific actions MDE has taken to support public schools in eliminating disparities and ensuring every child receives a high-quality education, no matter their race or zip code.

The report’s title conveys neither the complexity of the achievement gap, nor the full scope of the work MDE has undertaken to support public schools in closing the achievement gap in Minnesota. The achievement gap is not, as the report implies, limited solely to racial and ethnic categories. Achievement gaps persist in multiple areas, including, but limited to students receiving special education services, English language learners, students experiencing homelessness, and socioeconomic status.

Responding to the multifaceted nature of the achievement gap requires substantial investment by MDE. To that end, the Department has centered its work on supporting public schools in closing the achievement gap. In addition to the four programs reviewed in the report, MDE is actively working to support public schools in closing the achievement gap by:

- Ensuring every student has access to high-quality early learning opportunities to support their learning and development;
- Expanding and assisting full-service community schools that provide wraparound services to students;
- Providing research-based literacy, math, and other academic subject strategies and supports;
- Developing rigorous academic standards to serve as the basis of what all public school students should know and be able to do as a result of their K-12 education;

⁵ The report’s first key finding states that “Minnesota law does not clearly define “achievement gap,” how it should be measured, or MDE’s role in addressing it.” (Report, S-1). This is correct, nowhere in Minnesota statute is the term “achievement gap” defined, nor is the role of MDE in its closure explicitly stated.

⁶ The achievement gap itself, however, is well studied and a widely understood phenomenon in education, and academics and researchers have done substantial work to identify causes and correlations. This general view of what the achievement gap appears to be understood and shared by the legislature, which often used the achievement gap to explain one of the rationales for specific pieces of legislation (e.g. Minn. Stat. §124D.861, subd. 1; Minn. Stat. §120B.022, subd. 1b; Minn. Stat. § 122A.2451, subd. 2; Minn. Stat. §124D.861, subd. 1). In the specific statutes addressed in this report, the legislature has required that districts regularly measure the achievement gap (Minn. Stat. §120B.11, subd. 1a(1)) and when eligible use specific funds to develop programs to close the gap (Minn. Stat. §124D.861, subd. 1(c)(1)-(3)).

- Providing educational experiences that value student culture and identity by ensuring students are reflected in their learning;
- Providing students access to robust mental health supports;
- Providing students access to free and healthy meals;
- Ensuring students' social-emotional needs are met;
- Ensuring students feel safe, welcome and secure at school by supporting student-relationship building that is centered on growth and not discipline;
- Ensuring families are actively engaged in their child's learning;
- Meeting the unique needs of students who receive special education services;
- Meeting the unique needs of students who are English learners;
- Meeting the unique needs of students of color;
- Meeting the unique needs of Indigenous students;
- Meeting the unique needs of students experiencing homelessness;
- Meeting the unique needs of migrant students;
- Meeting the unique needs of students from low-income backgrounds;
- Meeting the unique needs of students who receive gifted and talented services;
- Meeting the unique needs of LGBTQ+ students;
- Expanding access to rigorous coursework such as IB, AP, CTE, PSEO, and concurrent enrollment;
- Ensuring students have access to out-of-school opportunities, such as enriching afterschool programs;
- Ensuring students have access to libraries that meet not only their needs, but also the needs of the community;
- Expanding career pathways to support Minnesota's economic pillars;
- Increasing the number of teachers of color and Indigenous teachers so that the education workforce reflects Minnesota's student population.

This list is extensive, but clearly not exhaustive. The Department's work in these areas is evidenced-based, and oriented toward supporting public schools in closing the achievement gap. In the end, the Department's concern with the title of the report is that it is not assessing MDE's role in addressing the achievement gap, but rather is an assessment of MDE's technical compliance in four program areas whose stated aims include the words "closing the achievement gap".

II. MDE Funding

The Department is a state agency and committed to being a good steward of the public funds it receives. MDE is fiscally responsible, and where possible reallocates resources to meet pressing issues. The Department believes that the report is missing key context related to the funding realities of MDE. Given the current funding in statute for this work, it is unreasonable for MDE to play a larger role in the development of district's achievement and integration plans, as the report suggests.

The Department receives funding from both the state and federal government, and as a result, both the federal and most of the state funds are tied to specific programs. Given these ties by the federal government, MDE is not able to reallocate those funds and the staff they pay for without conflicting with federal laws. At present, approximately 60% of MDE's budget are dedicated federal funds. The remaining 40% of MDE's budget is a state allocation. Like the federal funding, most of the state funds are appropriated by the Legislature for specific

programs and cannot be allocated to different programs. The portion within the state allocated 40% that are identified as general funds, which may be reallocated as MDE sees fit, does not allow for the type of on-the-fly staffing changes and reallocations contemplated by the report.

III. World's Best Workforce Review

As noted in the report, MDE and the OLA have differing interpretations about the requirements of the World's Best Workforce review (Minn. Stat. §120B.11, subd. 9(b)). At issue is whether the phrase "any consecutive three-year period" requires MDE to review districts over the course of a three-year period or to review districts every year. The plain language of the statute does not state that the reviews must occur annually.⁷

The statute's use of the term "three-year period," shows that the Legislature understands that progress toward the goals of World's Best Workforce is unlikely to be evidenced in year over year data, but is best seen over the course of multiple school years. This three-year period, the Department understands, was specifically intended to mirror the requirements of the three-year review required by ESSA. Since the inception of World's Best Workforce, the Department has read the statute to give meaning to each word, and only to those words in the actual statute.

Moreover, MDE's interpretation better fits within Minnesota's local control structure described in the OLA report. Under MDE's interpretation, districts have flexibility and control over the implementation of programs they have identified to meet the goals of World's Best Workforce. MDE has and will continue to meet the requirement that it identify districts that fail to achieve its goals under World's Best Workforce.

IV. American Indian Education Strategic Plan

The Department and the OLA likewise have a different view of the requirements of the strategic plan for American Indian Education. (Minn. Stat. §124D.791, subd. 4). The report incorrectly states that the Office of American Indian Education does not have a strategic plan specific to American Indian education. The Office of American Indian Education has met its statutory obligations both in letter and spirit. The Department's agency wide strategic plan encompasses the Department's whole vision for education in the state of Minnesota, and each of the objectives, goals and key strategies were designed with the requirements of Minn. Stat. §124D.791, subd. 4 in mind.

The Department's strategic plan focuses on American Indian Education, and includes specific goals, strategies, and action steps that are aligned with the Office of American Indian Education. The goals are measurable, the strategies are focused on American Indian students, families, and educators, and the action steps are clear and concrete. Through Tribal Consultations, engagement with the Minnesota Indian Affairs Council (MIAC), and our ongoing partnership with the Tribal Nations Education Committee (TNEC), the Office of American Indian

⁷ There may be some confusion based on the title of the subdivision, however, Minnesota Statutes, chapter 645.49, unequivocally states: "The headnotes printed in boldface type before sections and subdivisions in editions of Minnesota Statutes are mere catchwords to indicate the contents of the section or subdivision and are not part of the statute."

Education has developed the American Indian components of the Department’s strategic plan, and MDE has been affirmed in our understanding that when American Indian students do better all students do better.

V. Overall Strategic Plan

The Department and OLA respectfully disagree on the assessment of MDE’s overall strategic plan. The Department has measurable goals, evidence-based strategies, and specific action steps delineated by what must have action through the legislature and what can be done administratively by MDE that supports public schools in closing the achievement gap. MDE’s development, implementation, and public accessibility of a strategic plan is evidence of the leadership, partnership, and support provided to all public schools even though there is neither an expectation nor requirement in statute that one exist.

VI. Regional Centers of Excellence

Finally, MDE thanks the OLA for recognizing the work of the Department in the development, implementation and on-going leadership of the Regional Centers of Excellence (RCE) in partnership with the Minnesota Service Cooperatives. The work of the RCE is laser focused on providing resources and strategies to schools identified for support to close achievement gaps.

The Department believes that one of the messages that comes across loudly in the RCE section, but also the report as a whole, is that districts and schools find MDE most helpful when it is able to live in the areas of leadership, partnership, and support, and not solely in the areas of accountability and compliance. Compare the sentiment of two respondents to the OLA’s 2021 school district and charter school survey:

I find the whole World's Best Workforce to be a mandated report to MDE that really doesn't support any local assistance, we jump through this hoop to satisfy MDE requirements. (Report, quote box, page 28).

[The staff of the] Achievement and Integration office understand the achievement gap and also provide districts with the support to address their district issues within their contexts, but also within the law. I think they have been extraordinary partners. (Report, quote box, page 36).

These sentiments are consistent with the findings of the OLA’s survey questions asking about districts and schools’ preferred role for MDE in combatting the achievement gap. Exhibit 2.1 in the report makes clear that “school district and charter school leaders’ value MDE’s assistance roles over its compliance activities.” (Report Page 18). This is likewise consistent with the work of the RCEs, led by MDE, who have the ability to provide targeted resources and supports to districts working to close the achievement gap; and MDE’s Collaborative Minnesota Partnerships to Advance Student Success (COMPASS) webpage, which the report states “could help districts and charter schools to make progress toward their World’s Best Workforce goals, including addressing the achievement gap.” (Report, page 30).

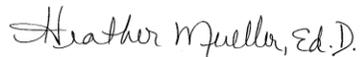
The report, and the feedback from MDE’s district and school partners heavily suggests that MDE’s most important role is to provide evidence-based practices, programs and strategies to enable districts and schools to close the achievement gap. When considering how best to allocate resources to close the achievement gap, MDE believes these findings should help inform future determinations about MDE’s continued responsibility to

support public schools by addressing systemic structures, processes, and barriers that have resulted in persistent achievement gaps.

An important context to consider is that Minnesota differs from many states because it does not have a statewide board of education. Instead, as the report lays out, Minnesota has locally elected schools boards who have the majority of the authority and represent the voice of the community to partner with school leaders to set the vision, align resources, and set policies to meet the needs of every student in their school community. This often places MDE in the position of recommending and strongly encouraging evidence-based practices that support closing the achievement gap, without the ability to require public schools to implement them.

Again, MDE would like to thank the dedicated employees of the Office of the Legislative Auditor who have worked diligently on this report. The opportunity to evaluate and review the Department's work in these four important program areas is appreciated, and MDE hopes this process will help MDE better serve Minnesota's public schools, our students and their families.

Sincerely,

A handwritten signature in cursive script that reads "Heather Mueller, Ed.D.".

Heather Mueller, Ed.D.
Commissioner

Forthcoming OLA Evaluations

Unemployment Insurance Program: Efforts to Prevent and Detect the Use of Stolen Identities

Recent OLA Evaluations

Agriculture

Pesticide Regulation, March 2020
Agricultural Utilization Research Institute (AURI),
May 2016
Agricultural Commodity Councils, March 2014

Criminal Justice and Public Safety

Driver Examination Stations, March 2021
Safety in State Correctional Facilities, February 2020
Guardian ad Litem Program, March 2018
Mental Health Services in County Jails, March 2016
Health Services in State Correctional Facilities,
February 2014
Law Enforcement's Use of State Databases,
February 2013

Economic Development

Minnesota Investment Fund, February 2018
Minnesota Research Tax Credit, February 2017
Iron Range Resources and Rehabilitation Board (IRRRB),
March 2016

Education (Preschool, K-12, and Postsecondary)

Minnesota Department of Education's Role in Addressing the Achievement Gap, March 2022
Collaborative Urban and Greater Minnesota Educators of Color (CUGMEC) Grant Program, March 2021
Compensatory Education Revenue, March 2020
Debt Service Equalization for School Facilities,
March 2019
Early Childhood Programs, April 2018
Perpich Center for Arts Education, January 2017
Standardized Student Testing, March 2017
Minnesota State High School League, April 2017
Minnesota Teacher Licensure, March 2016
Special Education, March 2013

Environment and Natural Resources

Petroleum Remediation Program, February 2022
Public Facilities Authority: Wastewater Infrastructure Programs, January 2019
Clean Water Fund Outcomes, March 2017
Department of Natural Resources: Deer Population Management, May 2016
Recycling and Waste Reduction, February 2015
DNR Forest Management, August 2014
Conservation Easements, February 2013
Sustainable Forest Incentive Program, November 2013

Financial Institutions, Insurance, and Regulated Industries

Department of Commerce's Civil Insurance Complaint Investigations, February 2022

Government Operations

Office of Minnesota Information Technology Services (MNIT), February 2019
Mineral Taxation, April 2015
Councils on Asian-Pacific Minnesotans, Black Minnesotans, Chicano/Latino People, and Indian Affairs, March 2014

Health

Emergency Ambulance Services, February 2022
Office of Health Facility Complaints, March 2018
Minnesota Department of Health Oversight of HMO Complaint Resolution, February 2016
Minnesota Health Insurance Exchange (MNSure),
February 2015
Minnesota Board of Nursing: Complaint Resolution Process, March 2015

Human Services

DHS Oversight of Personal Care Assistance, March 2020
Home- and Community-Based Services: Financial Oversight, February 2017
Managed Care Organizations' Administrative Expenses,
March 2015
State-Operated Human Services, February 2013
Medical Assistance Payment Rates for Dental Services,
March 2013

Jobs, Training, and Labor

State Protections for Meatpacking Workers, 2015
State Employee Union Fair Share Fee Calculations,
July 2013

Miscellaneous

Board of Cosmetology Licensing, May 2021
Minnesota Department of Human Rights: Complaint Resolution Process, February 2020
Public Utilities Commission's Public Participation Processes, July 2020
Economic Development and Housing Challenge Program,
February 2019
Minnesota State Arts Board Grant Administration,
February 2019
Board of Animal Health's Oversight of Deer and Elk Farms, April 2018
Voter Registration, March 2018
Minnesota Film and TV Board, April 2015

Transportation

MnDOT Workforce and Contracting Goals, May 2021
MnDOT Measures of Financial Effectiveness,
March 2019
MnDOT Highway Project Selection, March 2016
MnDOT Selection of Pavement Surface for Road Rehabilitation, March 2014
MnDOT Noise Barriers, October 2013



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