Public education became a national focus with the publication of *A Nation at Risk* in 1983. Minnesota had long held a reputation as a state with a strong commitment to education (Roberts & King, 1996). In Minnesota, PSAT and SAT scores were declining faster than the national average and the proportion of respondents rating public school performance as good or excellent in a Citizens League poll dropped from 63% in 1974 to 36% in 1979 (Roberts & King, 1996). The Citizens League called for the general public to find solutions to the problems. Some people suggested public school choice as a potential answer to the problems in Minnesota’s system of public schools (Roberts & King, 1996). With public school choice parents and students could become the change agents by exercising the choice option. Schools would be pushed to offer improved and innovative programs or face declining enrollment and possibly closure.

The Evolution of Public School Choice in Minnesota

There were two major arguments in the battle over public school choice; the basis of both was how one viewed the decline in student performance. One argument maintained that the decline in academic performance was only temporary. People supporting this argument focused on ways to improve the current system (Roberts & King, 1996). Their solution to the problem of performance decline was to require higher standards and increase the amount of money being spent on education within the state. Inherent in this solution was the belief that the ultimate responsibility for education rests with the state government. In their minds, the state government had the right to define an appropriate educational system and decide how it would be delivered to the citizens (Roberts & King, 1996).

The other argument stemmed from a belief of a need for a fundamental change in the educational system (Roberts & King, 1996). For people who supported this mindset, improvement in education could only come from a total redesign of the system. In their minds, there was no relationship between educational expenditures and achievement of students. They believed that methods must be found to change the system without increasing taxes. Two organizations, the Citizens League and the Minnesota Business Partnerships (MBP), which included the chief executive officers of the state’s largest
companies, promoted school choice as a perfect solution to the educational woes being experienced in Minnesota (Roberts & King, 1996).

In 1985, Governor Rudy Perpich, a Democrat, introduced his proposal, “Access to Excellence,” in an effort to increase the educational opportunities for families who could not afford to move from one community to another (Nathan & Power, 1996). Major features of this proposal were: (a) The state would increase its funding of public schools by 17%, reducing a district’s reliance on property taxes; (b) The State Department of Education would become solely responsible for defining and measuring learner outcomes in three different grade levels; (c) The local school districts would set their own programs guided by the individual needs of its students; (d) The State Department of Education would start Schools for the Arts and Math and also Science Academies in an effort to increase competition among the schools; (e) The students in 11th and 12th grade during 1986-1987 would be allowed to choose what public school, including post-secondary institutions, they would attend, and the student’s share of the state funding would move with the student. By 1988-1989 all students would be able to exercise this option; and (f) The State would increase the funding provided to districts for staff and curriculum development (Roberts & King, 1996). Perpich needed organizations and legislators to champion this effort. Organizational supporters included the Minnesota PTA, directors of the community agency known as War on Poverty, parents, teachers, and administrators, and the Minnesota Business Partnership (MBP) (Nathan & Power, 1996). House Majority Leader, Connie Levi, a Republican and Chair of the Subcommittee on Finance, and Tom Nelson, a Democrat, agreed to sponsor the K-12 Open Enrollment Bill (Roberts & King, 1996).

The attack on Perpich’s proposal was led by a coalition eventually referred to as 6M. This coalition included the Minnesota Education Association, the Minnesota Federation of Teachers, the Minnesota Association of School Administrators, the Minnesota School Boards Association, the Minnesota Association of Secondary School Principals, and the Minnesota Association of Elementary School Principals. The 6M coalition was furious that Perpich had not sought their input before announcing the proposal. Eager to address their concerns as well as draw on their expertise in policy implementation, State Education Commissioner Ruth Randall, a Perpich appointee,
formed a task force. Randall later credited this group with sorting out the logistical and implementation problems associated with public school choice (Roberts & King, 1996).

Despite the defeat of the K-12 Open Enrollment proposal in both the Senate and the House, the Post-Secondary Options Law was enacted in June 1985. This law allowed 11th and 12th graders attending Minnesota public high schools to enroll in colleges or universities to complete their coursework (College of Education & Human Resources, 1998). The state funding followed the student and paid all tuition, books, and fees (Nathan & Powers, 1996; Roberts & King, 1996). The advocates of this law felt they needed an objective evaluation to calm the major fear of the law’s opponents, that there would be a mass exodus from Minnesota’s public high schools. A preliminary study completed in February 1986 showed that a mass exodus from the state’s public high schools had not occurred. The study found that students taking advantage of the post-secondary options were usually children of well-educated parents. Additionally, it seemed as a result of the passage of the law, course offerings in every high school in the state were expanded without constructing a single new school building (Wedl as cited in Roberts & King, 1996).

In August 1985, Perpich formed the Governor’s Discussion Group (GDG). The mission of this group, composed of both opponents and proponents of the Post-Secondary Options Law, was to create a vision for the future of education in Minnesota. The group held several intense meetings and eventually produced a plan for education in the future. “The plan included a voluntary K-12 enrollment options, the expansion of school choice to at-risk students, school-site management, and testing for student performance” (Roberts & King, 1996, p.59). Obviously an alliance had been formed between the opponents and proponents of the Post-Secondary Options Law to support school choice.

As a part of the 1987 Omnibus Education Bill, three new choice laws were enacted. The first law known as the Voluntary K-12 Enrollment Options Act allowed students to attend schools in other participating school districts. In the first year approximately 95 out of a possible 435 districts joined the program, which served approximately 100 students (Roberts & King, 1996). The other two components of the 1987 Omnibus Education Bill, The High School Graduation Incentives Act, and the Area Learning Centers and Alternative Programs Act were designed to help at-risk students.
Area Learning Centers were established for students ages 12-21, who were interested in receiving a high school diploma. These centers served as alternative education centers and focused on meeting the individual needs of their students. The Alternative Programs Act allowed students who had previously not been successful in school to attend public schools outside of their school district (Nathan & Powers, 1996). By the end of the 1987 legislative session, school choice was a significant aspect of educational policies in Minnesota. At the end of the 1988 legislative session, the 1987 acts, which allowed districts the freedom to choose to participate, became mandatory (Roberts & King, 1996). The 1988 Mandatory Options Act, required every school district to release their students to attend schools in other districts as long as the receiving district could handle the extra students and the presence of these extra students didn’t increase racial segregation (College Of Education and Human Development, 1998; Nathan & Powers, 1996). In just four years, public school choice in Minnesota had become a reality.

The Evolution of Charter School Legislation in Minnesota

In 1989, Al Shanker, then the American Federation of Teachers, spoke at a public schools improvement conference about Ray Budde’s idea of establishing charters between teachers and districts. Shaker believed this process would encourage new, innovative practices in public schools across the nation (Nathan, 1995a). In attendance at this conference, among others were Minnesota State Senator Reichgott-Junge, PTA president, Barbara Zohn, public school teacher Elaine Salinas, executive director of the Citizens League, Ted Kolderie, and an employee of the National Governor’s Association, Joe Nathan (Nathan, 1999). Coincidentally, this group had also worked together on the open enrollment legislation. In their minds, that piece of legislation did not fully allow choice because there were only a few new and innovative schools to choose from. They felt the charter school option might open up the supply side of school choice (Nathan, 1999).

In November 1990, Republican Arne Carlson was elected Governor of Minnesota. During the legislative session that year Senator Reichgott-Junge joined forces with Democratic State representative Becky Kelso in support of charter schools (Nathan & Ysseldyke, 1994). Kelso’s attempt at introducing the idea in the House failed but Reichgott managed to introduce a charter school bill in the Senate that year. Her bill
which represented a significant compromise with the wishes of the teachers union officials, included limiting the number of charter schools to 50, the requirement that all charter school teachers must be state certified, and that both the State Board of Education and the local school boards could serve as sponsoring agencies (Nathan, 1999). Reichgott-Junge’s proposal was modified and the nation’s first charter school law was passed in Minnesota in 1991. The 1991 Minnesota charter school law permitted the establishment of up to eight charter schools, required approval to be granted from both the State Board of Education and any local school board, and mandated that a majority of the of the charter school’s governing board had to be teachers in the charter school (Nathan, 1995b). Senator Reichgott-Junge spoke for all charter school proponents when she said, “I was delighted and disappointed. Delighted that the charter concept had been accepted. Disappointed that the final provisions were so weak” (Reichgott-Junge as cited in Nathan, 1999, p. 70).

Several modifications to Minnesota’s charter school law have occurred over the years. The 1993 Minnesota legislature decided to increase the cap on the number of charter schools to 20, required that the school district in which the school would be established grant approval, and allowed groups that were denied a charter from the local school board to appeal to the State Board of Education if at least two affirmative votes were received from the local school board (Smetanka, 1993). In 1994 the cap on charter schools was raised to 35 and in 1995 to 40 (Nathan, 1995a). The 1995 Minnesota charter school law also allowed for three charter schools to be sponsored by post-secondary schools (Nathan, 1999). Modifications to the Minnesota charter school law in 1997 included lifting the limit on the number of charter schools that could operate in the state, waiving the requirement of receiving two yes votes from the local school board before appealing to the State Board of Education, and provided up to $50,000 per charter school to help cover the start-up costs (“K-12 Education Plan”, 1997). The 1999 K-12 Omnibus Bill allowed cooperative school districts to act as sponsors, allowed the requirement for the majority of a charter school’s governing board to be teachers in the school to be waived, and provided funds for facility leasing costs (Minnesota Association of Charter Schools [MACS], Legislation, 2000).
Results-Oriented Education

In 1992, the possibility of a standards-based education became a reality with the legislative approval of a two-faceted Graduation Rule, effective with the ninth grade in the year 1996-1997 (Children, Families, and Learning Department [CFL], 2000e). The first facet, Basic Standards, are the minimum competencies required for a high school diploma. The Basic Standards Tests, used to assess a student’s achievement of the Basic Standards, include three curricular areas: reading, math, and writing. Students may sit for the math and reading exams beginning in the eighth grade. The written composition is given to students in the tenth grade. All three tests must be passed to receive a high school diploma (CFL 1999; College of Education and Human Development, 1998).

In the first year of the tests’ administration (1997-1998), 43% of students enrolled in charter schools met the state’s minimum high school graduation standards in reading, compared to 68% of the students enrolled in conventional public schools. In the same year, 40% of the charter school students met the minimum graduation standards in math, compared to 71% of the students enrolled in conventional public schools. No information was reported on the written composition assessments (College of Education and Human Development, 1998). In part, these results can be explained by the demographic characteristics of charter school students. More than half of the students enrolled in charter schools during the 1997-1998 school year were economically disadvantaged as measured by those eligible for free or reduced lunch. Additionally, 27% of the students in charter schools have disabilities, compared to the 12% of students in conventional schools (College of Education and Human Development, 1998). Since all students are required to meet the minimum standards for high school graduation, these achievement levels presented a significant challenge to the charter schools as well as to the sponsoring agencies that chartered these schools.

The second facet of the Graduation Rule consists of a sequence of Preparatory Standards for grades K-8 and High Standards designed for students in grades 9-12. In 1997-1998 the Minnesota Comprehensive Assessments (MCA) were devised to assess the performance of all third graders in reading and math and fifth graders in reading, math, and writing (CFL, 2000e). While the MCA’s content is based on the Preparatory Standards, their main focus is a school’s performance on meeting these academic
standards. Student performance is reported by proficiency levels, with Level IV representing superior performance and Level I representing extremely low performance. Individual student scores, school scores and district scores along with some demographic material are sent to the parents of students who take the tests (CFL, 2000e). In 1997-1998, the first year of test administration, the overall performance of charter school students in all three areas was lower than that of students enrolled in conventional public schools (College of Education & Human Development, 1998).

The High Standards, also known as the Profile of Learning, are organized into ten Learning Areas: (a) read, listen, and view; (b) write and speak; (c) literature and the arts; (d) mathematical applications; (e) inquiry; (f) scientific applications; (e) people and cultures; (f) decision making; (g) resource management; and (h) world languages (CFL, 2000e). Within each area there are several Content Standards outlining what a student should know, understand and be able to accomplish to reach a high level of achievement. Students expecting to graduate in the year 2002 or later must complete a minimum of 24 (of the 48 possible) Content Standards for high school graduation. Students achieve a standard when they complete all of the assignments in a performance package. The performance packages are designed and assessed by classroom teachers. These performance packages have been highly controversial. Opponents say that these “souped up lesson plans . . . are too complicated, displace other studies, and create loads of paperwork. Besides they represent an intrusion by the state into teaching matters best left to the local school boards” (Draper, 1999b, p.1). The prime proponent of the packages, the current State Commissioner of Children, Families and Learning, Christine Jax, remarks that the performance packages are the basis of the results-oriented graduation system, an educational reform effort to improve the educational quality in Minnesota (CFL, 2000e; Draper, 1999b). In January 2000, Jax pledged to try and make some adjustments to facilitate the implementation of the High Standards. Among the adjustments she suggested were reviewing and clarifying terms, providing technical support, conducting teacher training sessions, and reviewing the content of the High Standards in an ongoing process (CFL, 2000e). According to Assistant State Attorney General Steven Liss, charter schools are not exempt from the graduation rule (Draper, 1999a). According to a charter school administrator, unlike large schools, which have
more available resources, small charter schools don’t have the resources or time to design
the required performance packages. Individual schools may request waivers from certain
aspects of the Profile of Learning but not from the requirement itself (Draper, 1999a).

**Demise of the State School Board**

Members of the State School Board were appointed by the governor and had the
responsibility of overseeing education in the state. The State Board had almost no control
on how its decisions were carried out; that responsibility rested with the State Department
of Education. As early as 1992, a member of the State School Board, Douglas Wallace,
called for abolishing the entire State Board of Education, claiming that the board could
not implement new policies because of legislative interference (Hotakainen, 1992). In
1995, Georgina Stephens resigned from the State Board of Education claiming the board
was dysfunctional (“State Board”, 1995). Stephens also claimed that the board couldn’t
make impartial decisions concerning school desegregation in the metropolitan area
because of racial biases (Hotakainen, 1995). In 1998, a bill to eliminate the State Board
of Education was introduced into the Senate. This action was prompted by the public
outrage against the State Board’s desegregation plan (O’Connor, 1998b). Later that year,
Governor Arne Carlson signed the 1998 K-12 Omnibus Education Bill that included a
provision to abolish the State Board of Education as of 12/31/99 (O’Connor, 1998a). The
responsibilities of the State Board of Education were assumed by the State Commissioner

**Demise of the State Department of Education**

In a five-year period, 1990-1994, four different commissioners led the State
Department of Education. Within that same time period the department went through two
major reorganizations and suffered a 20% budget cut. In 1994, critics of the State
Department of Education claimed it was ineffective. Proponents of the board said its
effectiveness was limited by the fact that it had to respond to the dictates of three
different masters: the Commissioner of Education, which is appointed by the Governor;
the State Board of Education, also appointed by the Governor; and the legislature
(Livingston & Owen, 1994). In 1995, the legislature approved replacing the State
Department of Education with a new Department of Children, Families and Learning.
The purpose of this new department was to promote collaboration and assume oversight
responsibilities of several different agencies’ programs (Nathan, 1995b). The head of the Department of Children, Families and Learning was a State Commissioner of Education who was appointed by the Governor. In 1999, the name of the Department was changed to the Children, Families and Learning Department (CFL) and Christine Jax was appointed as the new State Education Commissioner. Jax, unlike many of her predecessors, was formerly a professor of education and not an educational administrator or bureaucrat. In an interview, Jax said she wanted to promote greater educational innovations and increase the accountability of educational institutions (Dornfield, 1999).

In addition to her duties as head of CFL, Jax also assumed the responsibilities of the State Department of Education on January 1, 2000.

Responsibility for education in the State of Minnesota has gone through major changes in the last 17 years in its search for more accountable and innovative educational institutions. While most can agree it has moved in that direction, many still find fault with its current initiatives. One of the biggest challenges still remains-- completing the implementation of Minnesota’s Graduation Standards, specifically the Profile of Learning:

No doubt people on all sides of the High Standards debate are battle weary. No matter our positions in the past, I hope we can agree that we all care deeply about the future of our children. We all want the best for Minnesota students. As we move forward, let’s pledge to work together and listen to each other respectfully as we work out our differences. (Jax, 2000, p. 2)