

**SENATE
STATE OF MINNESOTA
NINETY-THIRD SESSION**

S.F. No. 3860

(SENATE AUTHORS: KUNESH)

DATE
02/19/2024

D-PG
11636 Introduction and first reading
Referred to Education Finance

OFFICIAL STATUS

1.1 A bill for an act
1.2 relating to education; modifying English learner programs and alternative education
1.3 programs; requiring reports; appropriating money; amending Minnesota Statutes
1.4 2023 Supplement, section 124D.901, subdivisions 3, 4; Laws 2023, chapter 55,
1.5 article 5, section 64, subdivision 14.

1.6 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.7 Section 1. Minnesota Statutes 2023 Supplement, section 124D.901, subdivision 3, is
1.8 amended to read:

1.9 Subd. 3. **Student support personnel aid.** (a) The initial student support personnel aid
1.10 for a school district equals the greater of the student support personnel allowance times the
1.11 adjusted pupil units at the district for the current fiscal year or \$40,000. The initial student
1.12 support personnel aid for a charter school equals the greater of the student support personnel
1.13 allowance times the adjusted pupil units at the charter school for the current fiscal year or
1.14 \$20,000.

1.15 (b) The cooperative student support personnel aid for a school district that is a member
1.16 of an intermediate school district or other cooperative unit that serves students equals the
1.17 greater of the cooperative student support allowance times the adjusted pupil units at the
1.18 district for the current fiscal year or \$40,000. If a district is a member of more than one
1.19 cooperative unit that serves students, the revenue must be allocated among the cooperative
1.20 units.

1.21 (c) In addition to other aid under this section, each area learning center established under
1.22 section 123A.05 that serves students participating in a dual enrollment program under section

2.1 124D.09 is eligible for school support personnel revenue equal to \$20,000 for each fiscal
 2.2 year.

2.3 ~~(e)~~ (d) The student support personnel allowance equals \$11.94 for fiscal year 2024,
 2.4 \$17.08 for fiscal year 2025, and \$48.73 for fiscal year 2026 and later.

2.5 ~~(d)~~ (e) The cooperative student support allowance equals \$0.60 for fiscal year 2024,
 2.6 \$0.85 for fiscal year 2025, and \$2.44 for fiscal year 2026 and later.

2.7 ~~(e)~~ (f) Notwithstanding paragraphs (a) ~~and~~ (b), and (c), the student support personnel
 2.8 aid must not exceed the district's, charter school's, or cooperative unit's actual expenditures.

2.9 Sec. 2. Minnesota Statutes 2023 Supplement, section 124D.901, subdivision 4, is amended
 2.10 to read:

2.11 Subd. 4. **Allowed uses.** (a) Aid under this section must be used to hire new positions
 2.12 for student support services personnel or increase a current position that is less than 1.0
 2.13 full-time equivalent to a greater number of service hours or make permanent a position hired
 2.14 using onetime resources awarded through the federal Coronavirus Aid Relief and Economic
 2.15 Security Act, the federal Consolidated Appropriations Act, the federal Division
 2.16 M-Coronavirus Response and Relief Supplemental Appropriations Act, or the federal
 2.17 American Rescue Plan Act, or to maintain a position that would otherwise be eliminated.

2.18 (b) Cooperative student support personnel aid must be transferred to the intermediate
 2.19 district or other cooperative unit of which the district is a member and used to hire new
 2.20 positions for student support services personnel or increase a current position that is less
 2.21 than 1.0 full-time equivalent to a greater number of service hours or make permanent a
 2.22 position hired using onetime resources awarded through the American Rescue Plan Act at
 2.23 the intermediate district or cooperative unit.

2.24 (c) Area learning center student support personnel aid must be transferred to the area
 2.25 learning center and used to hire new positions for student support services personnel or
 2.26 increase a current position that is less than 1.0 full-time equivalent to a greater number of
 2.27 service hours or make permanent a position hired using onetime resources awarded through
 2.28 the federal American Rescue Plan Act at the area learning center.

2.29 ~~(e)~~ (d) If a school district, charter school, ~~or cooperative unit,~~ or area learning center
 2.30 does not receive at least two applications and is not able to hire a new full-time equivalent
 2.31 position with student support personnel aid, the aid may be used for contracted services
 2.32 from individuals licensed to serve as a school counselor, school psychologist, school social
 2.33 worker, school nurse, or chemical dependency counselor in Minnesota.

3.1 Sec. 3. Laws 2023, chapter 55, article 5, section 64, subdivision 14, is amended to read:

3.2 Subd. 14. **Student support personnel aid.** (a) For aid to support schools in addressing
3.3 students' social, emotional, and physical health under Minnesota Statutes, section 124D.901:

3.4 \$ 29,138,000 2024

3.5 ~~35,270,000~~

3.6 \$ 2025

3.7 (b) The 2024 appropriation includes \$0 for fiscal year 2023 and \$29,138,000 for fiscal
3.8 year 2024.

3.9 (c) The 2025 appropriation includes \$3,237,000 for fiscal year 2024 and ~~\$32,033,000~~
3.10 \$..... for fiscal year 2025.

3.11 Sec. 4. APPROPRIATION; EDUCATION INNOVATION GRANTS.

3.12 Subdivision 1. Department of Education. The sums indicated in this section are
3.13 appropriated from the general fund to the Department of Education in the fiscal years
3.14 designated.

3.15 Subd. 2. English learner programming. (a) For a pilot program to fully fund English
3.16 learner programming that implements best practices in class instructional strategies, staffing,
3.17 and curriculum during regular and extended day, week, and year programs:

3.18 \$ 2025

3.19 (b) The commissioner must select one or more school districts or charter schools to
3.20 participate in the pilot program and receive grant funds under this subdivision. A district
3.21 or charter school applying to participate in the pilot program must submit a proposed model
3.22 for fully funded English learner programming that includes:

3.23 (1) an estimate of the cost of fully funding the district or charter school's proposed model;

3.24 (2) an accountability framework that uses student performance on state assessments to
3.25 determine whether the program is improving academic outcomes for English learners;

3.26 (3) professional development for teachers and other staff; and

3.27 (4) evaluation of the efficacy of the proposed model.

3.28 (c) The commissioner must review uses of the grant funds and report to the legislature
3.29 on best practices that improved student outcomes and recommendations for policy and
3.30 funding changes to improve academic outcomes for English learners. The commissioner

4.1 must submit the report to the legislative committees with jurisdiction over kindergarten
4.2 through grade 12 education no later than January 31, 2027.

4.3 (d) This appropriation is available until June 30, 2026. This is a onetime appropriation.

4.4 Subd. 3. **Alternative programs.** (a) For a pilot program to fully fund extended time to
4.5 support students who are eligible to participate in the graduation incentives program:

4.6 § 2025

4.7 (b) The commissioner must select one or more state-approved alternative programs to
4.8 participate in the pilot program and receive grant funds under this subdivision. A
4.9 state-approved alternative program applying to participate in the pilot program must submit
4.10 a proposed model for improving delivery of high school credit recovery options and providing
4.11 extended time programming to students in kindergarten through grade 8. The model must
4.12 include:

4.13 (1) an estimate of the cost of fully funding the district or charter school's proposed model;

4.14 (2) an accountability framework that uses credit recovery rates and graduation rates to
4.15 determine whether the program is improving academic outcomes for participating students;

4.16 (3) professional development for teachers and other staff; and

4.17 (4) evaluation of the efficacy of the proposed model.

4.18 (c) A state-approved alternative program participating in the pilot program must use
4.19 grant funds to provide a district or charter school extended time revenue based on average
4.20 daily membership equal to 1.4 for each student eligible to participate in the graduation
4.21 incentives program under section 124D.68, and to increase the extended time formula match
4.22 from a 70 percent reimbursement to a 100 percent matched reimbursement.

4.23 (d) The commissioner must review uses of the grant funds and report to the legislature
4.24 on best practices that improved student outcomes and recommendations for policy and
4.25 funding changes to increase graduation rates for students in alternative programs. The
4.26 commissioner must submit the report to the legislative committees with jurisdiction over
4.27 kindergarten through grade 12 education no later than January 31, 2027.

4.28 (e) This appropriation is available until June 30, 2026. This is a onetime appropriation.

4.29 Subd. 4. **Dual enrollment program.** (a) For a pilot program to fund dual enrollment
4.30 college and career readiness counselors for students eligible for the graduation incentives
4.31 program:

4.32 § 2025

5.1 (b) The commissioner must select one or more school districts or charter schools to
5.2 participate in the pilot program and receive grant funds under this subdivision. A district
5.3 or charter school applying to participate in the pilot program must submit a plan to hire
5.4 counselors to recruit students who are eligible for the graduation incentives program to
5.5 enroll in dual enrollment programs under section 124D.09, and earn dual credits through
5.6 courses offered during the regular and extended day, week, and year. The plan must include:

5.7 (1) an estimate of the cost of fully funding the district or charter school's proposed plan;

5.8 (2) an accountability framework based on the acceleration of dual credit accumulation
5.9 before a student graduates from high school;

5.10 (3) professional development for counselors; and

5.11 (4) evaluation of the efficacy of the proposed model.

5.12 (c) The commissioner must review uses of the grant funds and report to the legislature
5.13 on whether the pilot program accelerated enrollment in and completion of dual enrollment
5.14 courses for students eligible for the graduation incentives program. The commissioner must
5.15 submit the report to the legislative committees with jurisdiction over kindergarten through
5.16 grade 12 education no later than January 31, 2027.

5.17 (d) This appropriation is available until June 30, 2026. This is a onetime appropriation.