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State of Minnesota  
HOUSE OF REPRESENTATIVES

EIGHTY-EIGHTH SESSION

H. F. No. 165

01/24/2013 Authored by Slocum, Bly and Barrett  
The bill was read for the first time and referred to the Committee on Education Finance

1.1 A bill for an act  
1.2 relating to education finance; creating additional funding sources for students  
1.3 in approved recovery programs; appropriating money; amending Minnesota  
1.4 Statutes 2012, sections 126C.01, by adding a subdivision; 126C.05, subdivision  
1.5 8; 126C.10, subdivision 1, by adding a subdivision; proposing coding for new  
1.6 law in Minnesota Statutes, chapter 124D.

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

1.8 Section 1. **[124D.695] APPROVED RECOVERY PROGRAM FUNDING.**

1.9 An approved recovery program, as defined in section 126C.01, subdivision 12, is  
1.10 eligible for recovery program support staff aid under this section. Recovery support staff  
1.11 means licensed alcohol and chemical dependency counselors, licensed school counselors,  
1.12 licensed school psychologists, licensed school nurses, and licensed school social workers.  
1.13 Recovery program support staff aid for each approved recovery program equals 20 percent  
1.14 of the salary of each recovery support staff person, prorated for the portion of the school  
1.15 day that the support staff person spends in the approved recovery program.

1.16 **EFFECTIVE DATE.** This section is effective for revenue for fiscal years 2014  
1.17 and later.

1.18 Sec. 2. Minnesota Statutes 2012, section 126C.01, is amended by adding a subdivision  
1.19 to read:

1.20 **Subd. 12. Approved recovery program.** "Approved recovery program" means  
1.21 a course of instruction offered by a recovery school that provides academic services,  
1.22 assistance with recovery, and continuing care to students recovering from substance abuse  
1.23 or dependency. A recovery program may be offered in a transitional academic setting  
1.24 designed to meet graduation requirements. A recovery program must be approved by the

2.1 commissioner of education. The commissioner may specify the manner and form of the  
 2.2 application for the approval of a recovery school or recovery program.

2.3 **EFFECTIVE DATE.** This section is effective the day following final enactment.

2.4 Sec. 3. Minnesota Statutes 2012, section 126C.05, subdivision 8, is amended to read:

2.5 Subd. 8. **Average daily membership.** (a) Membership for pupils in grades  
 2.6 kindergarten through 12 and for prekindergarten pupils with disabilities shall mean the  
 2.7 number of pupils on the current roll of the school, counted from the date of entry until  
 2.8 withdrawal. The date of withdrawal shall mean the day the pupil permanently leaves  
 2.9 the school or the date it is officially known that the pupil has left or has been legally  
 2.10 excused. However, a pupil, regardless of age, who has been absent from school for 15  
 2.11 consecutive school days during the regular school year or for five consecutive school days  
 2.12 during summer school or intersession classes of flexible school year programs without  
 2.13 receiving instruction in the home or hospital shall be dropped from the roll and classified  
 2.14 as withdrawn. Nothing in this section shall be construed as waiving the compulsory  
 2.15 attendance provisions cited in section 120A.22. Average daily membership equals the  
 2.16 sum for all pupils of the number of days of the school year each pupil is enrolled in the  
 2.17 district's schools divided by the number of days the schools are in session. Days of  
 2.18 summer school or intersession classes of flexible school year programs are only included  
 2.19 in the computation of membership for pupils with a disability not appropriately served  
 2.20 primarily in the regular classroom.

2.21 (b) A student, other than a pupil in an approved recovery program, must not be  
 2.22 counted as more than 1.2 pupils in average daily membership under this section. When the  
 2.23 initial total average daily membership exceeds 1.2 for a pupil enrolled in more than one  
 2.24 school district during the fiscal year, each district's average daily membership must be  
 2.25 reduced proportionately.

2.26 (c) A student in an approved recovery program must not be counted as more than 1.7  
 2.27 pupils in average daily membership under this section. When the initial total average daily  
 2.28 membership exceeds 1.7 for a pupil enrolled in more than one school district during the  
 2.29 fiscal year, each district's average daily membership must be reduced proportionately.

2.30 ~~(b)~~ (d) A student must not be counted as more than one pupil in average daily  
 2.31 membership except for purposes of section 126C.10, ~~subdivision~~ subdivisions 2a and 2d.

2.32 **EFFECTIVE DATE.** This section is effective for revenue for fiscal years 2014  
 2.33 and later.

3.1 Sec. 4. Minnesota Statutes 2012, section 126C.10, subdivision 1, is amended to read:

3.2 Subdivision 1. **General education revenue.** The general education revenue for each  
3.3 district equals the sum of the district's basic revenue, extended time revenue, gifted and  
3.4 talented revenue, small schools revenue, recovery program revenue, basic skills revenue,  
3.5 training and experience revenue, secondary sparsity revenue, elementary sparsity revenue,  
3.6 transportation sparsity revenue, total operating capital revenue, equity revenue, alternative  
3.7 teacher compensation revenue, and transition revenue.

3.8 **EFFECTIVE DATE.** This section is effective for revenue for fiscal years 2014  
3.9 and later.

3.10 Sec. 5. Minnesota Statutes 2012, section 126C.10, is amended by adding a subdivision  
3.11 to read:

3.12 Subd. 2d. **Recovery program revenue.** A school district's recovery program  
3.13 revenue equals the basic formula allowance for that year times the sum of the adjusted  
3.14 marginal cost pupil units of the district for each pupil in average daily membership in  
3.15 excess of 1.2 and less than 1.7 according to section 126C.05, subdivision 8, paragraph (c).

3.16 **EFFECTIVE DATE.** This section is effective for revenue for fiscal years 2014  
3.17 and later.

3.18 Sec. 6. **APPROPRIATIONS.**

3.19 Subdivision 1. **Department of Education.** The sums indicated in this section are  
3.20 appropriated from the general fund to the Department of Education for the fiscal years  
3.21 designated.

3.22 Subd. 2. **General education aid; approved recovery schools.** For additional  
3.23 general education aid for approved recovery programs under Minnesota Statutes, section  
3.24 126C.10, subdivision 2d:

3.25 \$ ..... 2014  
3.26 \$ ..... 2015

3.27 Subd. 3. **Approved recovery program support staff aid.** For recovery program  
3.28 support staff aid under Minnesota Statutes, section 124D.695:

3.29 \$ ..... 2014  
3.30 \$ ..... 2015