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DATE	D-PG	OFFICIAL STATUS
03/17/2011	547	Introduction and first reading Referred to Education

1.1

A bill for an act

1.2

relating to education; providing for early childhood and family, prekindergarten

1.3

through grade 12, and adult education, including general education, education

1.4

excellence, special programs, facilities and technology, nutrition and accounting,

1.5

libraries, early childhood education, prevention, self-sufficiency and lifelong

1.6

learning, and state agencies; authorizing rulemaking; appropriating money;

1.7

amending Minnesota Statutes 2010, sections 120B.12; 120B.128; 122A.415,

1.8

subdivisions 1, 3; 123B.75, subdivision 5; 124D.11, subdivision 4; 124D.531,

1.9

subdivision 1; 124D.59, subdivision 2; 125A.69, subdivision 1; 126C.10,

1.10

subdivision 1, by adding a subdivision; 127A.441; 127A.45, subdivision 2;

1.11

proposing coding for new law in Minnesota Statutes, chapter 124D; repealing

1.12

Minnesota Statutes 2010, sections 124D.11, subdivision 8; 124D.871; 124D.88.

1.13

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

1.14

ARTICLE 1

1.15

GENERAL EDUCATION

1.16

Section 1. Minnesota Statutes 2010, section 124D.59, subdivision 2, is amended to

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read:

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Subd. 2. **Pupil of limited English proficiency.** (a) "Pupil of limited English

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proficiency" means a pupil in kindergarten through grade 12 who meets the following

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requirements:

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(1) the pupil, as declared by a parent or guardian first learned a language other than

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English, comes from a home where the language usually spoken is other than English, or

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usually speaks a language other than English; and

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(2) the pupil is determined by developmentally appropriate measures, which might

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include observations, teacher judgment, parent recommendations, or developmentally

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appropriate assessment instruments, to lack the necessary English skills to participate

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fully in classes taught in English.

(b) Notwithstanding paragraph (a), a pupil in grades 4 through 12 who was enrolled in a Minnesota public school on the dates during the previous school year when a commissioner provided assessment that measures the pupil's emerging academic English was administered, shall not be counted as a pupil of limited English proficiency in calculating limited English proficiency pupil units under section 126C.05, subdivision 17, and shall not generate state limited English proficiency aid under section 124D.65, subdivision 5, unless the pupil scored below the state cutoff score or is otherwise counted as a nonproficient participant on an assessment measuring emerging academic English provided by the commissioner during the previous school year.

(c) Notwithstanding paragraphs (a) and (b), a pupil in kindergarten through grade 12 shall not be counted as a pupil of limited English proficiency in calculating limited English proficiency pupil units under section 126C.05, subdivision 17, and shall not generate state limited English proficiency aid under section 124D.65, subdivision 5, if:

(1) the pupil is not enrolled during the current fiscal year in an educational program for pupils of limited English proficiency in accordance with sections 124D.58 to 124D.64; or

(2) the pupil has generated five or more years of average daily membership in Minnesota public schools since July 1, 1996.

Sec. 2. Minnesota Statutes 2010, section 126C.10, subdivision 1, is amended to read:

Subdivision 1. **General education revenue.** (a) For fiscal year 2006 and later ~~2012~~, the general education revenue for each district equals the sum of the district's basic revenue, extended time revenue, gifted and talented revenue, basic skills revenue, training and experience revenue, secondary sparsity revenue, elementary sparsity revenue, transportation sparsity revenue, total operating capital revenue, equity revenue, alternative teacher compensation revenue, and transition revenue.

(b) For fiscal year 2013 and later, the general education revenue for each district equals the sum of the district's basic revenue, extended time revenue, gifted and talented revenue, basic skills revenue, training and experience revenue, secondary sparsity revenue, elementary sparsity revenue, transportation sparsity revenue, total operating capital revenue, equity revenue, alternative teacher compensation revenue, all-day kindergarten revenue, and transition revenue.

Sec. 3. Minnesota Statutes 2010, section 126C.10, is amended by adding a subdivision to read:

Subd. 37. **All-day kindergarten revenue.** (a) Participation in all-day kindergarten is optional. A school district qualifies for all-day kindergarten revenue if it provides a free all-day, every day kindergarten program through its general fund available to all kindergarten students at one or more school sites.

(b) A school district's all-day kindergarten revenue is equal to the product of the formula allowance times .388 times the average daily membership of kindergarten pupils served in the district under section 126C.05, subdivision 1, paragraph (d), who are enrolled in a free all-day every day kindergarten program and are eligible for free or reduced-price meals during the current fiscal year.

(c) All-day kindergarten revenue must be reserved and used only for all-day every day kindergarten programs.

(d) Notwithstanding section 123A.26, subdivision 1, all-day kindergarten revenue generated by students served at a cooperative unit shall be paid to the cooperative unit.

EFFECTIVE DATE. This section is effective for revenue for the 2012-2013 school year and later.

Sec. 4. **APPROPRIATIONS.**

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

Subd. 2. **General education aid.** For general education aid under Minnesota Statutes, section 126C.13, subdivision 4:

\$	<u>5,658,620,000</u>	.....	<u>2012</u>
\$	<u>5,795,365,000</u>	.....	<u>2013</u>

The 2012 appropriation includes \$1,664,876,000 for 2011 and \$3,993,745,000 for 2012.

The 2013 appropriation includes \$1,699,102,000 for 2012 and \$4,096,263,000 for 2013.

Subd. 3. **Enrollment options transportation.** For transportation of pupils attending postsecondary institutions under Minnesota Statutes, section 124D.09, or for transportation of pupils attending nonresident districts under Minnesota Statutes, section 124D.03:

\$	<u>31,000</u>	.....	<u>2012</u>
\$	<u>32,000</u>	.....	<u>2013</u>

4.1 Subd. 4. **Abatement revenue.** For abatement aid under Minnesota Statutes, section
4.2 127A.49:

4.3	<u>\$</u>	<u>1,452,000</u>	<u>.....</u>	<u>2012</u>
4.4	<u>\$</u>	<u>1,635,000</u>	<u>.....</u>	<u>2013</u>

4.5 The 2012 appropriation includes \$346,000 for 2011 and \$1,106,000 for 2012.
4.6 The 2013 appropriation includes \$473,000 for 2012 and \$1,162,000 for 2013.

4.7 Subd. 5. **Consolidation transition.** For districts consolidating under Minnesota
4.8 Statutes, section 123A.485:

4.9	<u>\$</u>	<u>145,000</u>	<u>.....</u>	<u>2012</u>
4.10	<u>\$</u>	<u>210,000</u>	<u>.....</u>	<u>2013</u>

4.11 The 2012 appropriation includes \$145,000 for 2011 and \$0 for 2012.
4.12 The 2013 appropriation includes \$0 for 2012 and \$210,000 for 2013.

4.13 Subd. 6. **Nonpublic pupil education aid.** For nonpublic pupil education aid under
4.14 Minnesota Statutes, sections 123B.87 and 123B.40 to 123B.43:

4.15	<u>\$</u>	<u>16,075,000</u>	<u>.....</u>	<u>2012</u>
4.16	<u>\$</u>	<u>15,936,000</u>	<u>.....</u>	<u>2013</u>

4.17 The 2012 appropriation includes \$5,078,000 for 2011 and \$10,997,000 for 2012.
4.18 The 2013 appropriation includes \$4,712,000 for 2012 and \$11,224,000 for 2013.

4.19 Subd. 7. **Nonpublic pupil transportation.** For nonpublic pupil transportation aid
4.20 under Minnesota Statutes, section 123B.92, subdivision 9:

4.21	<u>\$</u>	<u>18,928,000</u>	<u>.....</u>	<u>2012</u>
4.22	<u>\$</u>	<u>18,778,000</u>	<u>.....</u>	<u>2013</u>

4.23 The 2012 appropriation includes \$5,895,000 for 2011 and \$13,033,000 for 2012.
4.24 The 2013 appropriation includes \$5,585,000 for 2012 and \$13,193,000 for 2013.

4.25 Subd. 8. **One-room schoolhouse.** For a grant to Independent School District No.
4.26 690, Warroad, to operate the Angle Inlet School:

4.27	<u>\$</u>	<u>65,000</u>	<u>.....</u>	<u>2012</u>
4.28	<u>\$</u>	<u>65,000</u>	<u>.....</u>	<u>2013</u>

4.29 Subd. 9. **Compensatory revenue pilot project.** For grants for participation in the
4.30 compensatory revenue pilot program under Laws 2005, First Special Session chapter 5,
4.31 article 1, section 50:

4.32	<u>\$</u>	<u>2,175,000</u>	<u>.....</u>	<u>2012</u>
4.33	<u>\$</u>	<u>2,175,000</u>	<u>.....</u>	<u>2013</u>

Of this amount, \$1,500,000 in each year is for a grant to Independent School District No. 11, Anoka-Hennepin; \$75,000 in each year is for a grant to Independent School District No. 286, Brooklyn Center; \$210,000 in each year is for a grant to Independent School District No. 279, Osseo; \$160,000 in each year is for a grant to Independent School District No. 281, Robbinsdale; \$165,000 in each year is for a grant to Independent School District No. 535, Rochester; and \$65,000 in each year is for a grant to Independent School District No. 833, South Washington.

If a grant to a specific school district is not awarded, the commissioner may increase the aid amounts to any of the remaining participating school districts.

This appropriation is part of the base budget for subsequent fiscal years.

Subd. 10. **Board of Teaching; licensure by portfolio.** For the Board of Teaching for licensure by portfolio:

\$	<u>30,000</u>	<u>.....</u>	<u>2012</u>
\$	<u>30,000</u>	<u>.....</u>	<u>2013</u>

This appropriation is from the educator licensure portfolio account of the special revenue fund.

ARTICLE 2
EDUCATION EXCELLENCE

Section 1. Minnesota Statutes 2010, section 120B.12, is amended to read:

120B.12 READING INTERVENTION WELL BY THIRD GRADE.

Subdivision 1. **Literacy goal.** ~~The legislature seeks to have Minnesota's children able to read no later than the end of second grade.~~ Studies show that ongoing monitoring of reading proficiency in the early grades is an important part of closing the achievement gap. If a student does not show adequate progress in reading in kindergarten, grade 1, and through the end of grade 2, schools and school districts must provide additional funding and research-based reading instruction to ensure they are meeting the provisions of this section.

Subd. 2. **Identification; report.** For the ~~2002-2003~~ 2011-2012 school year and later, each school district shall identify before the end of kindergarten, first grade, and second grade students who are ~~at risk of not learning to read~~ not reading at grade level before the end of ~~second grade~~ the current school year. The district must use a locally adopted assessment method. The district must annually report the results of the assessment to the commissioner by June 1. The assessment report must include a disaggregated report by all student demographic subgroups enrolled at the school, and provide an analysis of the

strategies used in the current year to address the deficiencies and to close the achievement gaps in order to ensure all students are getting the support they need to be on track to read at grade level by third grade.

Subd. 3. **Intervention Literacy plan.** For each student identified under subdivision 2, the district shall provide ~~a reading intervention method or program to assist the student in reaching~~ instruction to accelerate student growth in order to reach the goal of learning to read no later than the end of second grade. District intervention methods shall encourage parental involvement and, where possible, collaboration with appropriate school and community programs. ~~Intervention~~ These methods may include, but are not limited to, requiring mandatory attendance in extended day programming such as before or after school, Saturday school, summer school, and intensified reading instruction that may require that the student be removed from the regular classroom for part of the school day and must include comprehensive scientifically based reading support beyond core instruction using a multitiered system of classroom support model.

Subd. 4. **Staff development.** Each district shall use the data under subdivision 2 to identify the staff development needs to ensure that:

(1) elementary teachers are able to implement comprehensive, scientifically based, ~~and balanced~~ reading instruction programs that have resulted in improved student performance;

(2) elementary teachers ~~who are instructing students identified under subdivision 2~~ are prepared to teach using the intervention methods or programs plan and reading strategies selected by the district for the identified students and have the sufficient training to teach reading with comprehensive scientific or evidence-based reading instruction; and

(3) all ~~licensed~~ teachers employed by the district have regular opportunities to improve reading instruction;

(4) all teachers are culturally competent to meet the specific demographics of their school site;

(5) all teachers understand and have training in the linguistic and cultural needs of students who speak English as a second language if applicable to their school site population;

(6) all teachers know, understand, and can carry out the Minnesota academic standards for the grade level they are teaching and beyond; and

(7) all teachers are trained in interpreting reading assessments that are formative and measure ongoing progress.

Subd. 5. **Commissioner.** The commissioner shall recommend to districts multiple assessment tools that will assist districts and teachers with identifying students under

subdivision 2. The commissioner shall also make available to districts examples of nationally recognized and research-based instructional methods or programs that districts may use to provide reading intervention according to this section. The commissioner shall provide professional development opportunities for kindergarten through grade 3 in reading pedagogy, content standards, and best practices. The commissioner shall set yearly targets for schools and school districts and hold them accountable to those targets as well as report on the Minnesota school report card the number of students reading at grade level and not reading at grade level at the end of first and second grades, broken out by student demographic subgroups.

Sec. 2. Minnesota Statutes 2010, section 120B.128, is amended to read:

**120B.128 EDUCATIONAL PLANNING AND ASSESSMENT SYSTEM
(EPAS) PROGRAM.**

~~(a)~~ School districts and charter schools may elect to participate in the Educational Planning and Assessment System (EPAS) program offered by ACT, Inc. to provide a longitudinal, systematic approach to student educational and career planning, assessment, instructional support, and evaluation. The EPAS achievement tests include English, reading, mathematics, science, and components on planning for high school and postsecondary education, interest inventory, needs assessments, and student education plans. These tests are linked to the ACT assessment for college admission and allow students, parents, teachers, and schools to determine the student's college readiness before grades 11 and 12.

~~(b) The commissioner of education shall provide ACT Explore tests for students in grade 8 and the ACT Plan test for students in grade 10 to assess individual student academic strengths and weaknesses, academic achievement and progress, higher order thinking skills, and college readiness. The state shall pay the test costs for school districts and charter schools that choose to participate in the EPAS program. The commissioner shall establish an application procedure and a process for state payment of costs.~~

EFFECTIVE DATE. This section is effective for revenue for fiscal year 2012 and later.

Sec. 3. Minnesota Statutes 2010, section 122A.415, subdivision 1, is amended to read:

Subdivision 1. **Revenue amount.** (a) A school district, intermediate school district, school site, or charter school that meets the conditions of section 122A.414 and submits

an application approved by the commissioner before February 1, 2011, is eligible for alternative teacher compensation revenue.

(b) For school district and intermediate school district applications, the commissioner must consider only those applications to participate that are submitted jointly by a district and the exclusive representative of the teachers. The application must contain an alternative teacher professional pay system agreement that:

(1) implements an alternative teacher professional pay system consistent with section 122A.414; and

(2) is negotiated and adopted according to the Public Employment Labor Relations Act under chapter 179A, except that notwithstanding section 179A.20, subdivision 3, a district may enter into a contract for a term of two or four years.

Alternative teacher compensation revenue for a qualifying school district or site in which the school board and the exclusive representative of the teachers agree to place teachers in the district or at the site on the alternative teacher professional pay system equals \$260 times the number of pupils enrolled at the district or site on October 1 of the previous fiscal year. Alternative teacher compensation revenue for a qualifying intermediate school district must be calculated under section 126C.10, subdivision 34, paragraphs (a) and (b).

(c) For a newly combined or consolidated district, the revenue shall be computed using the sum of pupils enrolled on October 1 of the previous year in the districts entering into the combination or consolidation. The commissioner may adjust the revenue computed for a site using prior year data to reflect changes attributable to school closings, school openings, or grade level reconfigurations between the prior year and the current year.

(d) The revenue is available only to school districts, intermediate school districts, school sites, and charter schools that fully implement an alternative teacher professional pay system by October 1 ~~of the current school year~~, 2011.

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

Sec. 4. Minnesota Statutes 2010, section 122A.415, subdivision 3, is amended to read:

Subd. 3. **Revenue timing.** ~~(a)~~ Districts, intermediate school districts, school sites, or charter schools with ~~approved~~ applications approved before February 1, 2011, must receive alternative compensation revenue for each school year that the district, intermediate school district, school site, or charter school implements an alternative teacher professional pay system under this subdivision and section 122A.414. For fiscal year 2007 and later, a qualifying district, intermediate school district, school site, or

charter school that received alternative teacher compensation aid for the previous fiscal year must receive at least an amount of alternative teacher compensation revenue equal to the lesser of the amount it received for the previous fiscal year or the amount it qualifies for under subdivision 1 for the current fiscal year if the district, intermediate school district, school site, or charter school submits a timely application and the commissioner determines that the district, intermediate school district, school site, or charter school continues to implement an alternative teacher professional pay system, consistent with its application under this section.

~~(b) The commissioner shall approve applications that comply with subdivision 1, and section 122A.414, subdivisions 2, paragraph (b), and 2a, if the applicant is a charter school, in the order in which they are received, select applicants that qualify for this program, notify school districts, intermediate school districts, school sites, and charter schools about the program, develop and disseminate application materials, and carry out other activities needed to implement this section.~~

~~(c) For applications approved under this section before August 1 of the fiscal year for which the aid is paid, the portion of the state total basic alternative teacher compensation aid entitlement allocated to charter schools must not exceed \$522,000 for fiscal year 2006 and \$3,374,000 for fiscal year 2007. For fiscal year 2008 and later, the portion of the state total basic alternative teacher compensation aid entitlement allocated to charter schools must not exceed the product of \$3,374,000 times the ratio of the state total charter school enrollment for the previous fiscal year to the state total charter school enrollment for the second previous year. Additional basic alternative teacher compensation aid may be approved for charter schools after August 1, not to exceed the charter school limit for the following fiscal year, if the basic alternative teacher compensation aid entitlement for school districts based on applications approved by August 1 does not expend the remaining amount under the limit.~~

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

Sec. 5. Minnesota Statutes 2010, section 124D.11, subdivision 4, is amended to read:

Subd. 4. **Building lease aid.** When a charter school finds it economically advantageous to rent or lease a building or land for any instructional purposes and it determines that the total operating capital revenue under section 126C.10, subdivision 13, is insufficient for this purpose, it may apply to the commissioner for building lease aid for this purpose. The commissioner must review and either approve or deny a lease aid application using the following criteria:

(1) the reasonableness of the price based on current market values;

(2) the extent to which the lease conforms to applicable state laws and rules; and
(3) the appropriateness of the proposed lease in the context of the space needs and financial circumstances of the charter school.

A charter school must not use the building lease aid it receives for custodial, maintenance service, utility, or other operating costs. The amount of building lease aid per pupil unit served for a charter school for any year shall not exceed the lesser of (a) 90 percent of the approved cost or (b) the product of the pupil units served for the current school year times ~~the greater of the charter school's building lease aid per pupil unit served for fiscal year 2003, excluding the adjustment under Laws 2002, chapter 392, article 6, section 4,~~ or \$1,200.

EFFECTIVE DATE. This section is effective for revenue for fiscal year 2012 and later.

Sec. 6. **[124D.915] GOVERNOR'S AWARD FOR EXCELLENCE IN EDUCATION.**

Subdivision 1. Establishment. The commissioner shall establish a governor's award for excellence in education to: (1) provide recognition and monetary awards for schools that have the highest growth and are accelerating learning by setting high expectations and increased access to rigor; and (2) share best practices across schools for the purpose of promoting innovative approaches for closing the achievement gap and improving achievement for all students. The commissioner shall publish a list of aid recipients to be designated "celebration" schools each year on the Department of Education's Web site.

Subd. 2. Eligible school. For fiscal year 2012 and later, a school operated by a school district or charter school that participates in the student growth model established by the commissioner of education is eligible to receive a governor's award for excellence in education if at least 40 percent of the growth measurement scores at the school for the previous school year reflect high growth under section 120B.299.

Subd. 3. Grant. (a) A school district or charter school with one or more schools eligible for an award under subdivision 1 may apply for a noncompetitive excellence in education grant on behalf of the eligible schools. The application must include a budget and description of revenue uses consistent with subdivision 4.

(b) The grant for each eligible school to a school district or charter school with an approved application under paragraph (a) equals the sum of \$30 plus the product of \$160 times the greater of zero or the difference between the percent of growth measurement

scores at the school with high growth for the previous school year and 40 percent, times the number of students enrolled at the school on October 1 of the previous school year.

(c) Notwithstanding paragraph (b), if the state total grant award under paragraph (b) would exceed \$7,000,000, the amount of each grant must be reduced proportionately so as not to exceed \$7,000,000.

Subd. 4. **Revenue use.** Excellence in education grant revenues must be reserved and allocated for use by the eligible schools generating the grant revenue. Up to 50 percent of the grant may be used to maintain high performance at the school. At least 50 percent of the grant must be used to disseminate best practices from the high performing school to other schools.

Sec. 7. [124D.925] ACHIEVEMENT GAP INNOVATION FUND.

Subdivision 1. **Establishment.** A competitive statewide achievement gap innovation grant program is established to provide grants to nonprofit and school-based early education programs, school districts, charter schools, and cooperative units for the purpose of promoting innovative approaches to closing the achievement gap and improving achievement for all students and preschool children. Priority must be given to projects involving the innovative use of technology to close the achievement gap and eliminate barriers to accessing technology. To the extent possible, awards shall be distributed evenly among urban, suburban, and rural areas of the state in proportion to enrollment in each area. The maximum award for a project is \$100,000 each year. The commissioner shall develop and publish criteria for application to the achievement gap innovation fund.

Subd. 2. **Program outcomes.** Expected outcomes of the achievement gap innovation fund competitive grants may include:

- (1) spawning innovative strategies to close achievement gaps among students;
- (2) raising the achievement of all students;
- (3) removing barriers to achievement due to a lack of access to technology;
- (4) encouraging public-private partnerships to increase technology access;
- (5) integrating the use of technology in classrooms as a means to providing relevance; and
- (6) building student skills in the use of technology.

Subd. 3. **Grants.** (a) An applicant shall submit a grant application to the commissioner. The application must include:

- (1) a summary that identifies the specific achievement gap problem to be addressed;
- (2) specific strategies to close the achievement gap, which may include the use of technology;

- 12.1 (3) goals of the grant;
12.2 (4) how the grant will be evaluated;
12.3 (5) collaboration with and leveraging of private, business, or community partners;
12.4 (6) outreach to families; and
12.5 (7) how the success of the grant will be shared to disseminate best practices.
12.6 (b) Proposals shall be reviewed and approved by the commissioner based on the
12.7 criteria established in subdivision 1.

12.8 Sec. 8. **CHARTER SCHOOL START-UP AID.**

12.9 Notwithstanding any law to the contrary, a charter school in its first year of operation
12.10 during fiscal year 2012 is not eligible for charter school start-up aid under Minnesota
12.11 Statutes, section 124D.11, subdivision 8.

12.12 Sec. 9. **APPROPRIATIONS.**

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

12.16 Subd. 2. **Charter school building lease aid.** For building lease aid under Minnesota
12.17 Statutes, section 124D.11, subdivision 4:

12.18	\$	<u>47,466,000</u>	<u>.....</u>	<u>2012</u>
12.19	\$	<u>52,484,000</u>	<u>.....</u>	<u>2013</u>

12.20 The 2012 appropriation includes \$13,336,000 for 2011 and \$34,130,000 for 2012.
12.21 The 2013 appropriation includes \$14,627,000 for 2012 and \$37,857,000 for 2013.

12.22 Subd. 3. **Charter school startup aid.** For charter school startup cost aid under
12.23 Minnesota Statutes, section 124D.11, subdivision 8:

12.24	\$	<u>180,000</u>	<u>.....</u>	<u>2012</u>
12.25	\$	<u>25,000</u>	<u>.....</u>	<u>2013</u>

12.26 The 2012 appropriation includes \$119,000 for 2011 and \$61,000 for 2012.
12.27 The 2013 appropriation includes \$25,000 for 2012 and \$0 for 2013.

12.28 Subd. 4. **Integration aid.** For integration aid under Minnesota Statutes, section
12.29 124D.86, subdivision 5:

12.30	\$	<u>66,320,000</u>	<u>.....</u>	<u>2012</u>
12.31	\$	<u>67,469,000</u>	<u>.....</u>	<u>2013</u>

12.32 The 2012 appropriation includes \$19,272,000 for 2011 and \$47,048,000 for 2012.

13.1 The 2013 appropriation includes \$20,163,000 for 2012 and \$47,306,000 for 2013.

13.2 Subd. 5. **Interdistrict desegregation or integration transportation grants.** For
13.3 interdistrict desegregation or integration transportation grants under Minnesota Statutes,
13.4 section 124D.87:

13.5 \$ 14,917,000 2012

13.6 \$ 16,612,000 2013

13.7 Subd. 6. **Success for the future.** For American Indian success for the future grants
13.8 under Minnesota Statutes, section 124D.81:

13.9 \$ 2,137,000 2012

13.10 \$ 2,137,000 2013

13.11 The 2012 appropriation includes \$641,000 for 2011 and \$1,496,000 for 2012.

13.12 The 2013 appropriation includes \$641,000 for 2012 and \$1,496,000 for 2013.

13.13 Subd. 7. **American Indian teacher preparation grants.** For joint grants to assist
13.14 American Indian people to become teachers under Minnesota Statutes, section 122A.63:

13.15 \$ 190,000 2012

13.16 \$ 190,000 2013

13.17 Subd. 8. **Tribal contract schools.** For tribal contract school aid under Minnesota
13.18 Statutes, section 124D.83:

13.19 \$ 2,082,000 2012

13.20 \$ 2,180,000 2013

13.21 The 2012 appropriation includes \$600,000 for 2011 and \$1,482,000 for 2012.

13.22 The 2013 appropriation includes \$635,000 for 2012 and \$1,545,000 for 2013.

13.23 Subd. 9. **Early childhood programs at tribal schools.** For early childhood family
13.24 education programs at tribal contract schools under Minnesota Statutes, section 124D.83,
13.25 subdivision 4:

13.26 \$ 68,000 2012

13.27 \$ 68,000 2013

13.28 Subd. 10. **Statewide testing and reporting system.** For the statewide testing and
13.29 reporting system under Minnesota Statutes, section 120B.30:

13.30 \$ 15,150,000 2012

13.31 \$ 15,150,000 2013

13.32 Any balance in the first year does not cancel but is available in the second year.

Subd. 11. **Examination fees; teacher training and support programs.** (a) For students' advanced placement and international baccalaureate examination fees under Minnesota Statutes, section 120B.13, subdivision 3, and the training and related costs for teachers and other interested educators under Minnesota Statutes, section 120B.13, subdivision 1:

\$	<u>4,500,000</u>	<u>.....</u>	<u>2012</u>
\$	<u>4,500,000</u>	<u>.....</u>	<u>2013</u>

(b) The advanced placement program shall receive 75 percent of the appropriation each year and the international baccalaureate program shall receive 25 percent of the appropriation each year. The department, in consultation with representatives of the advanced placement and international baccalaureate programs selected by the Advanced Placement Advisory Council and IBMN, respectively, shall determine the amounts of the expenditures each year for examination fees and training and support programs for each program.

(c) Notwithstanding Minnesota Statutes, section 120B.13, subdivision 1, at least \$500,000 each year is for teachers to attend subject matter summer training programs and follow-up support workshops approved by the advanced placement or international baccalaureate programs. The amount of the subsidy for each teacher attending an advanced placement or international baccalaureate summer training program or workshop shall be the same. The commissioner shall determine the payment process and the amount of the subsidy.

(d) The commissioner shall pay all examination fees for all students of low-income families under Minnesota Statutes, section 120B.13, subdivision 3, and to the extent of available appropriations shall also pay examination fees for students sitting for an advanced placement examination, international baccalaureate examination, or both.

Any balance in the first year does not cancel but is available in the second year.

Subd. 12. **Concurrent enrollment programs.** For concurrent enrollment programs under Minnesota Statutes, section 124D.091:

\$	<u>2,000,000</u>	<u>.....</u>	<u>2012</u>
\$	<u>2,000,000</u>	<u>.....</u>	<u>2013</u>

If the appropriation is insufficient, the commissioner must proportionately reduce the aid payment to each district.

Any balance in the first year does not cancel but is available in the second year.

Subd. 13. **Collaborative urban educator.** For the collaborative urban educator grant program:

15.1 \$ 528,000 2012

15.2 \$ 528,000 2013

15.3 Any balance in the first year does not cancel but is available in the second year.

15.4 Each institution shall prepare for the legislature, by January 15 of each year, a
15.5 detailed report regarding the funds used. The report must include the number of teachers
15.6 prepared as well as the diversity for each cohort of teachers produced.

15.7 Subd. 14. **Youth works program.** For funding youth works programs under
15.8 Minnesota Statutes, sections 124D.37 to 124D.45:

15.9 \$ 900,000 2012

15.10 \$ 900,000 2013

15.11 A grantee organization may provide health and child care coverage to the dependents
15.12 of each participant enrolled in a full-time youth works program to the extent such coverage
15.13 is not otherwise available.

15.14 Subd. 15. **Student organizations.** For student organizations:

15.15 \$ 725,000 2012

15.16 \$ 725,000 2013

15.17 \$40,000 each year is for student organizations serving health occupations.

15.18 \$38,000 each year is for student organizations serving service occupations.

15.19 \$88,000 each year is for student organizations serving trade and industry occupations.

15.20 \$84,000 each year is for student organizations serving business occupations.

15.21 \$131,000 each year is for student organizations serving agriculture occupations.

15.22 \$125,000 each year is for student organizations serving family and consumer science
15.23 occupations.

15.24 \$95,000 each year is for student organizations serving marketing occupations.

15.25 Any balance in the first year does not cancel but is available in the second year.

15.26 Subd. 16. **Early childhood literacy programs.** For early childhood literacy
15.27 programs under Minnesota Statutes, section 119A.50, subdivision 3:

15.28 \$ 1,375,000 2012

15.29 \$ 1,375,000 2013

15.30 Up to \$1,375,000 each year is for leveraging federal and private funding to support
15.31 AmeriCorps members serving in the Minnesota Reading Corps program established by
15.32 Serve Minnesota, including costs associated with the training and teaching of early literacy
15.33 skills to children age three to grade 3 and the evaluation of the impact of the program
15.34 under Minnesota Statutes, sections 124D.38, subdivision 2, and 124D.42, subdivision 6.

16.1 Subd. 17. Governor's excellence in education award. For awards issued under

16.2 Minnesota Statutes, section 124D.915:

16.3	\$	<u>4,900,000</u>	.....	<u>2012</u>
16.4	\$	<u>7,000,000</u>	.....	<u>2013</u>

16.5 The 2012 appropriation includes \$0 for 2011 and \$4,900,000 for 2012.

16.6 The 2013 appropriation includes \$2,100,000 for 2012 and \$4,900,000 for 2013.

16.7 Subd. 18. **Governor's achievement gap innovation fund.** For the innovation fund
16.8 under Minnesota Statutes, section 124D.925:

16.9	\$	<u>2,100,000</u>	.....	<u>2012</u>
16.10	\$	<u>3,000,000</u>	.....	<u>2013</u>

16.11 The 2012 appropriation includes \$0 for 2011 and \$2,100,000 for 2012.

16.12 The 2013 appropriation includes \$900,000 for 2012 and \$2,100,000 for 2013.

16.13 **Sec. 10. REPEALER.**

16.14 (a) Minnesota Statutes 2010, sections 124D.871; and 124D.88, are repealed.

16.15 (b) Minnesota Statutes 2010, section 124D.11, subdivision 8, is repealed.

16.16 **EFFECTIVE DATE.** Paragraph (a) is effective for revenue for fiscal year 2012 and

16.17 later. Paragraph (b) is effective for revenue for fiscal year 2013 and later.

16.18	ARTICLE 3
16.19	SPECIAL PROGRAMS

16.20 **Section 1. APPROPRIATIONS.**

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

16.24 Subd. 2. **Special education; regular.** For special education aid under Minnesota
16.25 Statutes, section 125A.75:

16.26	\$	<u>815,438,000</u>	<u>.....</u>	<u>2012</u>
16.27	\$	<u>860,239,000</u>	<u>.....</u>	<u>2013</u>

16.28 The 2012 appropriation includes \$235,975,000 for 2011 and \$579,463,000 for 2012.

16.29 The 2013 appropriation includes \$248,341,000 for 2012 and \$611,898,000 for 2013.

Subd. 3. **Aid for children with disabilities.** For aid under Minnesota Statutes, section 125A.75, subdivision 3, for children with disabilities placed in residential facilities within the district boundaries for whom no district of residence can be determined:

\$	<u>1,648,000</u>	<u>.....</u>	<u>2012</u>
\$	<u>1,745,000</u>	<u>.....</u>	<u>2013</u>

If the appropriation for either year is insufficient, the appropriation for the other year is available.

Subd. 4. **Travel for home-based services.** For aid for teacher travel for home-based services under Minnesota Statutes, section 125A.75, subdivision 1:

\$	<u>357,000</u>	<u>.....</u>	<u>2012</u>
\$	<u>359,000</u>	<u>.....</u>	<u>2013</u>

The 2012 appropriation includes \$107,000 for 2011 and \$250,000 for 2012.
The 2013 appropriation includes \$107,000 for 2012 and \$252,000 for 2013.

Subd. 5. **Special education; excess costs.** For excess cost aid under Minnesota Statutes, section 125A.79, subdivision 7:

\$	<u>112,399,000</u>	<u>.....</u>	<u>2012</u>
\$	<u>115,554,000</u>	<u>.....</u>	<u>2013</u>

The 2012 appropriation includes \$53,449,000 for 2011 and \$58,950,000 for 2012.
The 2013 appropriation includes \$54,852,000 for 2012 and \$60,702,000 for 2013.

Subd. 6. **Court-placed special education revenue.** For reimbursing serving school districts for unreimbursed eligible expenditures attributable to children placed in the serving school district by court action under Minnesota Statutes, section 125A.79, subdivision 4:

\$	<u>80,000</u>	<u>.....</u>	<u>2012</u>
\$	<u>82,000</u>	<u>.....</u>	<u>2013</u>

Subd. 7. **Special education out-of-state tuition.** For special education out-of-state tuition according to Minnesota Statutes, section 125A.79, subdivision 8:

\$	<u>250,000</u>	<u>.....</u>	<u>2012</u>
\$	<u>250,000</u>	<u>.....</u>	<u>2013</u>

ARTICLE 4

FACILITIES AND TECHNOLOGY

Section 1. **APPROPRIATIONS.**

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

18.4 Subd. 2. **Health and safety revenue.** For health and safety aid according to
18.5 Minnesota Statutes, section 123B.57, subdivision 5:

18.6	\$	<u>123,000</u>	<u>.....</u>	<u>2012</u>
18.7	\$	<u>113,000</u>	<u>.....</u>	<u>2013</u>

18.8 The 2012 appropriation includes \$39,000 for 2011 and \$84,000 for 2012.

18.9 The 2013 appropriation includes \$36,000 for 2012 and \$77,000 for 2013.

18.10 Subd. 3. **Debt service equalization.** For debt service aid according to Minnesota
18.11 Statutes, section 123B.53, subdivision 6:

18.12	\$	<u>12,425,000</u>	<u>.....</u>	<u>2012</u>
18.13	\$	<u>19,769,000</u>	<u>.....</u>	<u>2013</u>

18.14 The 2012 appropriation includes \$2,604,000 for 2011 and \$9,821,000 for 2012.

18.15 The 2013 appropriation includes \$4,208,000 for 2012 and \$15,561,000 for 2013.

18.16 Subd. 4. **Alternative facilities bonding aid.** For alternative facilities bonding aid,
18.17 according to Minnesota Statutes, section 123B.59, subdivision 1:

18.18	\$	<u>19,287,000</u>	<u>.....</u>	<u>2012</u>
18.19	\$	<u>19,287,000</u>	<u>.....</u>	<u>2013</u>

18.20 The 2012 appropriation includes \$5,786,000 for 2011 and \$13,501,000 for 2012.

18.21 The 2013 appropriation includes \$5,786,000 for 2012 and \$13,501,000 for 2013.

18.22 Subd. 5. **Equity in telecommunications access.** For equity in telecommunications
18.23 access:

18.24	\$	<u>3,750,000</u>	<u>.....</u>	<u>2012</u>
18.25	\$	<u>3,750,000</u>	<u>.....</u>	<u>2013</u>

18.26 If the appropriation amount is insufficient, the commissioner shall reduce the
18.27 reimbursement rate in Minnesota Statutes, section 125B.26, subdivisions 4 and 5, and the
18.28 revenue for fiscal years 2012 and 2013 shall be prorated.

18.29 Any balance in the first year does not cancel but is available in the second year.

18.30 Subd. 6. **Deferred maintenance aid.** For deferred maintenance aid, according to
18.31 Minnesota Statutes, section 123B.591, subdivision 4:

18.32	\$	<u>2,494,000</u>	<u>.....</u>	<u>2012</u>
18.33	\$	<u>3,035,000</u>	<u>.....</u>	<u>2013</u>

19.1 The 2012 appropriation includes \$676,000 for 2011 and \$1,818,000 for 2012.

19.2 The 2013 appropriation includes \$778,000 for 2012 and \$2,257,000 for 2013.

ARTICLE 5

NUTRITION AND ACCOUNTING

19.5 Section 1. Minnesota Statutes 2010, section 123B.75, subdivision 5, is amended to read:

19.6 Subd. 5. **Levy recognition.** (a) For fiscal years 2009 and 2010, in June of each
19.7 year, the school district must recognize as revenue, in the fund for which the levy was
19.8 made, the lesser of:

19.9 (1) the sum of May, June, and July school district tax settlement revenue received in
19.10 that calendar year, plus general education aid according to section 126C.13, subdivision
19.11 4, received in July and August of that calendar year; or

19.12 (2) the sum of:

19.13 (i) 31 percent of the referendum levy certified according to section 126C.17, in
19.14 calendar year 2000; and

19.15 (ii) the entire amount of the levy certified in the prior calendar year according to
19.16 section 124D.86, subdivision 4, for school districts receiving revenue under sections
19.17 124D.86, subdivision 3, clauses (1), (2), and (3); 126C.41, subdivisions 1, 2, paragraph
19.18 (a), and 3, paragraphs (b), (c), and (d); 126C.43, subdivision 2; 126C.457; and 126C.48,
19.19 subdivision 6; plus

(iii) zero percent of the amount of the levy certified in the prior calendar year for the school district's general and community service funds, plus or minus auditor's adjustments, not including the levy portions that are assumed by the state, that remains after subtracting the referendum levy certified according to section 126C.17 and the amount recognized according to item (ii).

19.25 (b) For fiscal year 2011 and later years, in June of each year, the school district must
19.26 recognize as revenue, in the fund for which the levy was made, the lesser of:

19.27 (1) the sum of May, June, and July school district tax settlement revenue received in
19.28 that calendar year, plus general education aid according to section 126C.13, subdivision
19.29 4, received in July and August of that calendar year; or

19.30 (2) the sum of:

19.31 (i) the greater of 48.6 percent of the referendum levy certified according to section
19.32 126C.17 in the prior calendar year, or 31 percent of the referendum levy certified
19.33 according to section 126C.17 in calendar year 2000; plus

19.34 (ii) the entire amount of the levy certified in the prior calendar year according to
19.35 section 124D.86, subdivision 4, for school districts receiving revenue under sections

S.F. No. 902, as introduced - 87th Legislative Session (2011-2012) [11-0107]

124D.86, subdivision 3, clauses (1), (2), and (3); 126C.41, subdivisions 1, 2, paragraph (a), and 3, paragraphs (b), (c), and (d); 126C.43, subdivision 2; 126C.457; and 126C.48, subdivision 6; plus

(iii) 48.6 percent of the amount of the levy certified in the prior calendar year for the school district's general and community service funds, plus or minus auditor's adjustments, ~~not including the levy portions that are assumed by the state,~~ that remains after subtracting the referendum levy certified according to section 126C.17 and the amount recognized according to item (ii).

EFFECTIVE DATE. This section is effective for fiscal year 2011.

Sec. 2. Minnesota Statutes 2010, section 127A.441, is amended to read:

127A.441 AID REDUCTION; LEVY REVENUE RECOGNITION CHANGE.

(a) Each year, the state aids payable to any school district for that fiscal year that are recognized as revenue in the school district's general and community service funds shall be adjusted by an amount equal to (1) the amount the district recognized as revenue for the prior fiscal year pursuant to section 123B.75, subdivision 5, paragraph (a) or (b), minus (2) the amount the district recognized as revenue for the current fiscal year pursuant to section 123B.75, subdivision 5, paragraph (a) or (b). For purposes of making the aid adjustments under this section, the amount the district recognizes as revenue for either the prior fiscal year or the current fiscal year pursuant to section 123B.75, subdivision 5, paragraph (b), shall not include any amount levied pursuant to section 124D.86, subdivision 4, for school districts receiving revenue under sections 124D.86, subdivision 3, clauses (1), (2), and (3); 126C.41, subdivisions 1, 2, and 3, paragraphs (b), (c), and (d); 126C.43, subdivision 2; 126C.457; and 126C.48, subdivision 6. Payment from the permanent school fund shall not be adjusted pursuant to this section.

(b) The commissioner shall schedule the timing of the adjustments under paragraph (a) as close to the end of the fiscal year as possible.

The school district shall be notified of the amount of the adjustment made to each payment pursuant to this section.

EFFECTIVE DATE. This section is effective for fiscal year 2011.

Sec. 3. Minnesota Statutes 2010, section 127A.45, subdivision 2, is amended to read:

Subd. 2. Definitions. (a) "Other district receipts" means payments by county treasurers pursuant to section 276.10, apportionments from the school endowment fund pursuant to section 127A.33, apportionments by the county auditor pursuant to section

21.1 127A.34, subdivision 2, and payments to school districts by the commissioner of revenue
21.2 pursuant to chapter 298.

21.3 (b) "Cumulative amount guaranteed" means the product of

21.4 (1) the cumulative disbursement percentage shown in subdivision 3; times

21.5 (2) the sum of

21.6 (i) the current year aid payment percentage of the estimated aid and credit

21.7 entitlements paid according to subdivision 13; plus

21.8 (ii) 100 percent of the entitlements paid according to subdivisions 11 and 12; plus

21.9 (iii) the other district receipts.

21.10 (c) "Payment date" means the date on which state payments to districts are made

21.11 by the electronic funds transfer method. If a payment date falls on a Saturday, a Sunday,

21.12 or a weekday which is a legal holiday, the payment shall be made on the immediately

21.13 preceding business day. The commissioner may make payments on dates other than

21.14 those listed in subdivision 3, but only for portions of payments from any preceding

21.15 payment dates which could not be processed by the electronic funds transfer method due

21.16 to documented extenuating circumstances.

21.17 (d) The current year aid payment percentage equals 73 in fiscal year 2010~~;~~₂; 70 in

21.18 fiscal ~~year~~ years 2011, 2012, and 2013; 72 in fiscal year 2014; 74 in fiscal year 2015; 76

21.19 in fiscal year 2016; 78 in fiscal year 2017; 80 in fiscal year 2018; 82 in fiscal year 2020;

21.20 84 in fiscal year 2021; 86 in fiscal year 2022; 88 in fiscal year 2023; and 90 in fiscal

21.21 years ~~2012~~ 2024 and later.

21.22 Sec. 4. **LEVY AID RECOGNITION TIMING.**

21.23 Notwithstanding Minnesota Statutes, section 127A.441, paragraph (b), the

21.24 commissioner of education shall schedule the portion of the aid adjustment for fiscal year

21.25 2011 attributable to the exclusion of levy portions assumed by the state from the levy

21.26 recognition calculation under Minnesota Statutes, section 123B.75, subdivision 5, to occur

21.27 with the final payment for fiscal year 2011 made on October 30, 2011.

21.28 Sec. 5. **APPROPRIATIONS.**

21.29 Subdivision 1. **Department of Education.** The sums indicated in this section are

21.30 appropriated from the general fund to the Department of Education for the fiscal years

21.31 designated.

21.32 Subd. 2. **School lunch.** For school lunch aid according to Minnesota Statutes,

21.33 section 124D.111, and Code of Federal Regulations, title 7, section 210.17:

23.1 The 2013 appropriation includes \$390,000 for 2012 and \$910,000 for 2013.

23.2 Subd. 4. **Electronic library for Minnesota.** For statewide licenses to online
23.3 databases selected in cooperation with the Minnesota Office of Higher Education for
23.4 school media centers, public libraries, state government agency libraries, and public
23.5 or private college or university libraries:

23.6 \$ 900,000 2012

23.7 \$ 900,000 2013

23.8 Any balance in the first year does not cancel but is available in the second year.

23.9 Subd. 5. **Regional library telecommunications aid.** For regional library
23.10 telecommunications aid under Minnesota Statutes, section 134.355:

23.11 \$ 2,300,000 2012

23.12 \$ 2,300,000 2013

23.13 The 2012 appropriation includes \$690,000 for 2011 and \$1,610,000 for 2012.

23.14 The 2013 appropriation includes \$690,000 for 2012 and \$1,610,000 for 2013.

23.15 ARTICLE 7

23.16 **EARLY CHILDHOOD EDUCATION**

23.17 Section 1. **APPROPRIATIONS.**

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

23.21 Subd. 2. **School readiness.** For revenue for school readiness programs under
23.22 Minnesota Statutes, sections 124D.15 and 124D.16:

23.23 \$ 10,095,000 2012

23.24 \$ 10,095,000 2013

23.25 The 2012 appropriation includes \$3,028,000 for 2011 and \$7,067,000 for 2012.

23.26 The 2013 appropriation includes \$3,028,000 for 2012 and \$7,067,000 for 2013.

23.27 Subd. 3. **Early childhood family education aid.** For early childhood family
23.28 education aid under Minnesota Statutes, section 124D.135:

23.29 \$ 22,466,000 2012

23.30 \$ 23,015,000 2013

23.31 The 2012 appropriation includes \$6,542,000 for 2011 and \$15,924,000 for 2012.

23.32 The 2013 appropriation includes \$6,824,000 for 2012 and \$16,191,000 for 2013.

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

Subd. 2. **Community education aid.** For community education aid under Minnesota Statutes, section 124D.20:

\$	<u>478,000</u>	<u>.....</u>	<u>2012</u>
\$	<u>694,000</u>	<u>.....</u>	<u>2013</u>

The 2012 appropriation includes \$134,000 for 2011 and \$344,000 for 2012.

The 2013 appropriation includes \$147,000 for 2012 and \$547,000 for 2013.

Subd. 3. **Adults with disabilities program aid.** For adults with disabilities programs under Minnesota Statutes, section 124D.56:

\$	<u>710,000</u>	<u>.....</u>	<u>2012</u>
\$	<u>710,000</u>	<u>.....</u>	<u>2013</u>

The 2012 appropriation includes \$213,000 for 2011 and \$497,000 for 2012.

The 2013 appropriation includes \$213,000 for 2012 and \$497,000 for 2013.

Subd. 4. **Hearing-impaired adults.** For programs for hearing-impaired adults under Minnesota Statutes, section 124D.57:

\$	<u>70,000</u>	<u>.....</u>	<u>2012</u>
\$	<u>70,000</u>	<u>.....</u>	<u>2013</u>

Subd. 5. **School-age care revenue.** For extended day aid under Minnesota Statutes, section 124D.22:

\$	<u>1,000</u>	<u>.....</u>	<u>2012</u>
\$	<u>1,000</u>	<u>.....</u>	<u>2013</u>

The 2012 appropriation includes \$0 for 2011 and \$1,000 for 2012.

The 2013 appropriation includes \$0 for 2012 and \$1,000 for 2013.

ARTICLE 9

SELF-SUFFICIENCY AND LIFELONG LEARNING

Section 1. Minnesota Statutes 2010, section 124D.531, subdivision 1, is amended to read:

Subdivision 1. **State total adult basic education aid.** (a) ~~The state total adult basic education aid for fiscal year 2005 is \$36,509,000. The state total adult basic education aid for fiscal year 2006 equals \$36,587,000 plus any amount that is not paid for during~~

~~the previous fiscal year, as a result of adjustments under subdivision 4, paragraph (a), or section 124D.52, subdivision 3.~~ The state total adult basic education aid for fiscal year 2007 equals \$37,673,000 plus any amount that is not paid for during the previous fiscal year, as a result of adjustments under subdivision 4, paragraph (a), or section 124D.52, subdivision 3. The state total adult basic education aid for fiscal year 2008 equals \$40,650,000, plus any amount that is not paid during the previous fiscal year as a result of adjustments under subdivision 4, paragraph (a), or section 124D.52, subdivision 3. The state total adult basic education aid for later fiscal years equals:

(1) the state total adult basic education aid for the preceding fiscal year plus any amount that is not paid for during the previous fiscal year, as a result of adjustments under subdivision 4, paragraph (a), or section 124D.52, subdivision 3; times

(2) the lesser of:

(i) ~~1.03~~ 1.02; or

(ii) the average growth in state total contact hours over the prior ten program years.

Beginning in fiscal year 2002, two percent of the state total adult basic education aid must be set aside for adult basic education supplemental service grants under section 124D.522.

(b) The state total adult basic education aid, excluding basic population aid, equals the difference between the amount computed in paragraph (a), and the state total basic population aid under subdivision 2.

EFFECTIVE DATE. This section is effective for revenue for fiscal year 2012 and later.

Sec. 2. **APPROPRIATIONS.**

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

Subd. 2. Adult basic education aid. For adult basic education aid under Minnesota Statutes:

\$ 45,074,000 2012

\$ 45,932,000 2013

The 2012 appropriation includes \$13,365,000 for 2011 and \$31,709,000 for 2012.

The 2013 appropriation includes \$13,589,000 for 2012 and \$32,343,000 for 2013.

27.1 Subd. 3. **GED tests.** For payment of 60 percent of the costs of GED tests under
27.2 Minnesota Statutes, section 124D.55:

27.3 \$ 125,000 2012

27.4 \$ 125,000 2013

27.5 **ARTICLE 10**

27.6 **STATE AGENCIES**

27.7 Section 1. Minnesota Statutes 2010, section 125A.69, subdivision 1, is amended to
27.8 read:

27.9 Subdivision 1. ~~Two kinds~~ **Admissions.** ~~There are two kinds of Admission to the~~
27.10 Minnesota State Academies is described in this section.

27.11 (a) A pupil who is deaf, hard of hearing, or ~~blind-deaf~~ deafblind, may be admitted to
27.12 the Academy for the Deaf. A pupil who is blind or visually impaired, ~~blind-deaf~~ deafblind,
27.13 or multiply disabled may be admitted to the Academy for the Blind. For a pupil to be
27.14 admitted, two decisions must be made under sections 125A.03 to 125A.24 and 125A.65.

27.15 (1) It must be decided by the individual education planning team that education in
27.16 regular or special education classes in the pupil's district of residence cannot be achieved
27.17 satisfactorily because of the nature and severity of the deafness or blindness or visual
27.18 impairment respectively.

27.19 (2) It must be decided by the individual education planning team that the academy
27.20 provides the most appropriate placement within the least restrictive alternative for the
27.21 pupil.

27.22 (b) A deaf or hard-of-hearing child or a visually impaired pupil may be admitted to
27.23 get socialization skills or on a short-term basis for skills development.

27.24 (c) A parent of a child who resides in Minnesota and who meets the disability criteria
27.25 for being deaf or hard of hearing, blind or visually impaired, or multiply disabled may
27.26 apply to place the child in the Minnesota State Academies. Academy staff must review
27.27 the application to determine whether the Minnesota State Academies is an appropriate
27.28 placement for the child. If academy staff determine that the Minnesota State Academies is
27.29 an appropriate placement, the staff must invite the individualized education program team
27.30 at the child's resident school district to participate in a meeting to arrange a trial placement
27.31 of between 60 and 90 calendar days at the Minnesota State Academies. If the child's
27.32 parent consents to the trial placement, the Minnesota State Academies is the responsible
27.33 serving school district and incurs all due process obligations under law, and the child's
27.34 resident school district is responsible for any transportation included in the child's

individualized education program during the trial placement. Before the trial placement ends, academy staff must convene an individualized education program team meeting to determine whether to continue the child's placement at the Minnesota State Academies or that another placement is appropriate. If the academy members of the individualized education program team and the parent are unable to agree on the child's placement, the child's placement reverts to the placement in the child's individualized education program that immediately preceded the trial placement. If the parent and individualized education program team agree to continue the placement beyond the trial period, the transportation and due process responsibilities are the same as those described for the trial placement under this paragraph.

Sec. 2. **APPROPRIATIONS; DEPARTMENT OF EDUCATION.**

Subdivision 1. **Department of Education.** Unless otherwise indicated, the sums indicated in this section are appropriated from the general fund to the Department of Education for the fiscal years designated.

Subd. 2. **Department.** (a) For the Department of Education:

\$ 18,820,000 2012

\$ 18,820,000 2013

Any balance in the first year does not cancel but is available in the second year.

(b) \$260,000 each year is for the Minnesota Children's Museum.

(c) \$41,000 each year is for the Minnesota Academy of Science.

(d) \$600,000 each year is for the Board of Teaching. Any balance in the first year does not cancel but is available in the second year.

(e) \$162,000 each year is for the Board of School Administrators. Any balance in the first year does not cancel but is available in the second year.

(f) The expenditures of federal grants and aids as shown in the biennial budget document and its supplements are approved and appropriated and shall be spent as indicated.

(g) \$38,000 each year is for an early hearing loss intervention coordinator under Minnesota Statutes, section 125A.63, subdivision 5. If the department expends federal funds to employ a hearing loss coordinator under Minnesota Statutes, section 125.63, subdivision 5, then the appropriation under this paragraph is reallocated for purposes of employing a world languages coordinator.

(h) \$50,000 each year is for the Duluth Children's Museum.

29.1 Sec. 3. APPROPRIATIONS; MINNESOTA STATE ACADEMIES.

29.2 The sums indicated in this section are appropriated from the general fund to the

29.3 Minnesota State Academies for the Deaf and the Blind for the fiscal years designated:

29.4 \$ 11,603,000 2012

29.5 \$ 11,603,000 2013

29.6 Any balance in the first year does not cancel but is available in the second year.

29.7 Sec. 4. APPROPRIATIONS; PERPICH CENTER FOR ARTS EDUCATION.

29.8 The sums in this section are appropriated from the general fund to the Perpich

29.9 Center for Arts Education for the fiscal years designated:

29.10 \$ 7,087,000 2012

29.11 \$ 7,087,000 2013

APPENDIX
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