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State of Minnesota

HOUSE OF REPRESENTATIVES

SPECIAL SESSION

H. F. No. 117

06/15/2020 Authored by Davnie and Bernardy
The bill was read for the first time and referred to the Education Finance Division

1.1 A bill for an act
1.2 relating to education; providing funding for and strengthening the Increase Teachers
1.3 of Color Act; providing funding for early childhood education; providing funding
1.4 for full-service community schools grants; providing funding for support our
1.5 students grants; establishing a distance learning broadband access grant program;
1.6 requiring school districts and charter schools to use the September 2020 permanent
1.7 school fund apportionment for certain purposes; requiring reports; appropriating
1.8 money; amending Minnesota Statutes 2018, sections 124D.16, subdivision 2;
1.9 136A.1275, subdivision 1, as amended; 136A.1791, subdivisions 1, as amended,
1.10 2, 3, as amended, 4, 5; Minnesota Statutes 2019 Supplement, sections 122A.70;
1.11 124D.151, subdivision 6; 126C.05, subdivisions 1, 3; 126C.10, subdivision 2d;
1.12 136A.1275, subdivisions 2, 3; Laws 2019, First Special Session chapter 11, article
1.13 3, sections 22, subdivision 3; 23, subdivision 5; article 8, section 13, subdivision
1.14 2; proposing coding for new law in Minnesota Statutes, chapters 120B; 122A;
1.15 136A.

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

1.17 ARTICLE 1
1.18 TEACHERS OF COLOR

1.19 Section 1. 120B.113 INCLUSIVE SCHOOL ENHANCEMENT GRANTS.

1.20 Subdivision 1. Grant program established. The commissioner must establish a grant
1.21 program to support implementation of world's best workforce strategies under section
1.22 120B.11, subdivision 2, clauses (4) and (6), to support collaborative efforts to make school
1.23 climate and curriculum more inclusive and respectful toward all students, families, and
1.24 employees, especially those of diverse racial and ethnic backgrounds.

1.25 Subd. 2. Applications and grant awards. The commissioner must determine application
1.26 procedures and deadlines, select schools to participate in the grant program, and determine
1.27 the payment process and amount of the grants. To the extent there are sufficient applications,

2.1 the commissioner should award an approximately equal number of grants between districts
 2.2 in greater Minnesota and those in the Twin Cities metropolitan area. If there are an
 2.3 insufficient number of applications received for either geographic area, then the commissioner
 2.4 may award grants to meet the requests for funds wherever a district is located.

2.5 Subd. 3. **Description.** The grant program must provide funding that supports collaborative
 2.6 efforts to make schools' curriculum and learning and work environments more inclusive
 2.7 and respectful of students' racial and ethnic diversity and to address issues of structural
 2.8 inequities in schools that create opportunity and achievement gaps for students, families,
 2.9 and staff who are of color or who are American Indian, consistent with the requirements
 2.10 for long-term plans under section 124D.861, subdivision 2, paragraph (c).

2.11 Subd. 4. **Report.** Grant recipients must annually report to the commissioner by a date
 2.12 and in a form and manner determined by the commissioner on efforts planned and
 2.13 implemented that engaged students, families, educators, and community members of diverse
 2.14 racial and ethnic backgrounds in making improvements to school climate and curriculum.
 2.15 The report must assess the impact of those efforts as perceived by racially and ethnically
 2.16 diverse stakeholders as well as areas needed for further continuous improvement.

2.17 **EFFECTIVE DATE.** This section is effective July 1, 2020.

2.18 Sec. 2. **[122A.59] COME TEACH IN MINNESOTA HIRING BONUSES.**

2.19 Subdivision 1. **Purpose.** This section establishes a program to support districts and
 2.20 schools recruiting and offering hiring bonuses for licensed teachers from another state in
 2.21 order to meet staffing needs in shortage areas in economic development regions in Minnesota.

2.22 Subd. 2. **Eligibility.** Districts or schools must verify that the hiring bonus is given to
 2.23 teachers licensed in another state who:

2.24 (1) qualify for a Tier 3 Minnesota license;

2.25 (2) have moved to the economic development region in Minnesota where they were
 2.26 hired; and

2.27 (3) belong to a racial or ethnic group that is underrepresented among teachers compared
 2.28 to students in the district or school under section 120B.35, subdivision 3, paragraph (b),
 2.29 clause (2).

2.30 Subd. 3. **Bonus amount.** Districts or schools may offer a signing and retention bonus
 2.31 of up to \$5,000 to teachers who meet the eligibility requirements. Teachers who meet
 2.32 eligibility requirements and meet a licensure shortage area in the economic development

3.1 region of the state where the school is located may be offered a signing bonus of up to
 3.2 \$8,000. Teachers must be paid half of the bonus when starting employment and half after
 3.3 completing four years of service in the hiring district or school. Teachers who do not complete
 3.4 their first school year upon receiving a hiring bonus must repay the hiring bonus.

3.5 Subd. 4. **Administration.** The commissioner must establish a process for districts or
 3.6 schools to seek reimbursement for hiring bonuses given to teachers in shortage areas moving
 3.7 to and working in Minnesota schools experiencing specific shortages.

3.8 **EFFECTIVE DATE.** This section applies to teacher contracts entered into on or after
 3.9 July 1, 2020.

3.10 Sec. 3. Minnesota Statutes 2019 Supplement, section 122A.70, is amended to read:

3.11 **122A.70 TEACHER MENTORSHIP AND RETENTION OF EFFECTIVE**
 3.12 **TEACHERS.**

3.13 Subdivision 1. **Teacher mentoring, induction, and retention programs.** (a) School
 3.14 districts are encouraged to develop teacher mentoring programs for teachers new to the
 3.15 profession or district, including teaching residents, teachers of color, teachers who are
 3.16 American Indian, teachers in license shortage areas, teachers with special needs, or
 3.17 experienced teachers in need of peer coaching.

3.18 (b) Teacher mentoring programs must be included in or aligned with districts' teacher
 3.19 evaluation and peer review processes under sections 122A.40, subdivision 8, and 122A.41,
 3.20 subdivision 5. A district may use staff development revenue under section 122A.61, special
 3.21 grant programs established by the legislature, or another funding source to pay a stipend to
 3.22 a mentor who may be a current or former teacher who has taught at least three years and is
 3.23 not on an improvement plan. Other initiatives using such funds or funds available under
 3.24 sections 124D.861 and 124D.862 may include:

3.25 (1) additional stipends as incentives to mentors of color or who are American Indian;

3.26 (2) financial supports for professional learning community affinity groups across schools
 3.27 within and between districts for teachers from underrepresented racial and ethnic groups to
 3.28 come together throughout the school year. ~~For purposes of this section, "affinity groups"~~
 3.29 ~~are groups of educators who share a common racial or ethnic identity in society as persons~~
 3.30 ~~of color or who are American Indian;~~

3.31 (3) programs for induction aligned with the district or school mentorship program during
 3.32 the first three years of teaching, especially for teachers from underrepresented racial and
 3.33 ethnic groups; or

4.1 (4) grants supporting licensed and nonlicensed educator participation in professional
 4.2 development, such as workshops and graduate courses, related to increasing student
 4.3 achievement for students of color and American Indian students in order to close opportunity
 4.4 and achievement gaps.

4.5 (c) ~~A school or district that receives a grant must~~ Schools or districts may negotiate
 4.6 additional retention strategies or protection from ~~unrequested leave of absences~~ layoffs in
 4.7 the beginning years of employment for teachers of color and teachers who are American
 4.8 Indian. Retention strategies may include providing financial incentives for teachers of color
 4.9 and teachers who are American Indian. Retention strategies may include providing financial
 4.10 incentives for teachers of color and teachers who are American Indian to work in the school
 4.11 or district for at least five years and placing American Indian educators at sites with other
 4.12 American Indian educators and educators of color at sites with other educators of color to
 4.13 reduce isolation and increase opportunity for collegial support.

4.14 Subd. 2. **Applications.** The Professional Educator Licensing and Standards Board must
 4.15 make application forms available to sites interested in developing or expanding a mentorship
 4.16 program. A school district; a group of school districts; a coalition of districts, teachers, and
 4.17 teacher education institutions; or a coalition of schools, teachers, or nonlicensed educators
 4.18 may apply for a program grant. The Professional Educator Licensing and Standards Board,
 4.19 in consultation with the teacher mentoring task force, must approve or disapprove the
 4.20 applications. To the extent possible, the approved applications must reflect effective
 4.21 mentoring, professional development, and retention components, and be geographically
 4.22 distributed throughout the state. The Professional Educator Licensing and Standards Board
 4.23 must encourage the selected sites to consider the use of its assessment procedures.

4.24 Subd. 3. **Criteria for selection.** At a minimum, applicants must express commitment
 4.25 to:

- 4.26 (1) allow staff participation;
- 4.27 (2) assess skills of both beginning and mentor teachers;
- 4.28 (3) provide appropriate in-service to needs identified in the assessment;
- 4.29 (4) provide leadership to the effort;
- 4.30 (5) cooperate with higher education institutions;
- 4.31 (6) provide facilities and other resources;
- 4.32 (7) share findings, materials, and techniques with other school districts; and

5.1 (8) retain teachers of color and teachers who are American Indian.

5.2 Subd. 4. **Additional funding.** Applicants are required to seek additional funding and
5.3 assistance from sources such as school districts, postsecondary institutions, foundations,
5.4 and the private sector.

5.5 Subd. 5. **Program implementation.** New and expanding mentorship sites that are funded
5.6 to design, develop, implement, and evaluate their program must participate in activities that
5.7 support program development and implementation. The Professional Educator Licensing
5.8 and Standards Board must provide resources and assistance to support new sites in their
5.9 program efforts. These activities and services may include, but are not limited to: planning,
5.10 planning guides, media, training, conferences, institutes, and regional and statewide
5.11 networking meetings. Nonfunded schools or districts interested in getting started may
5.12 participate. Fees may be charged for meals, materials, and the like.

5.13 Subd. 6. **Report.** By June 30 of each year after receiving a grant, recipients must submit
5.14 a report to the Professional Educator Licensing and Standards Board on program efforts
5.15 that describes mentoring and induction activities and assesses the impact of these programs
5.16 on teacher effectiveness and retention.

5.17 Sec. 4. [136A.1274] ASPIRING MINNESOTA TEACHERS OF COLOR
5.18 SCHOLARSHIP PROGRAM.

5.19 Subdivision 1. Scholarship program established. The commissioner must establish a
5.20 scholarship program to support undergraduate or graduate students preparing to become
5.21 teachers and belonging to a racial or ethnic group underrepresented in the teacher workforce
5.22 who have demonstrated financial need.

5.23 Subd. 2. Eligibility. To be eligible for a scholarship under this section, a teacher candidate
5.24 must:

5.25 (1) be admitted and enrolled in a teacher preparation program approved by the
5.26 Professional Educator Licensing and Standards Board and be seeking initial licensure or
5.27 enrolled in an eligible institution under section 136A.103, completing a two-year program
5.28 specifically designed to prepare early childhood educators;

5.29 (2) self-identify to the teacher preparation program as a person of color or American
5.30 Indian;

5.31 (3) be meeting satisfactory academic progress as defined under section 136A.101,
5.32 subdivision 10; and

6.1 (4) have an adjusted gross family income of \$125,000 or less and demonstrate financial
 6.2 need.

6.3 Subd. 3. **Administration.** (a) The commissioner must establish an application process
 6.4 for individual students and institutions on behalf of all eligible students at the institution
 6.5 and other guidelines for implementing the scholarship program.

6.6 (b) The maximum scholarship amount is \$10,000 per year for full-time study prior to
 6.7 student teaching defined as 12 or more undergraduate credits or the number of credits
 6.8 determined by the institution for full-time graduate student status. If a student is admitted
 6.9 and enrolled in a program for one term during the academic year, the maximum scholarship
 6.10 amount is \$5,000. The minimum scholarship under this section for full-time study must be
 6.11 no less than \$1,000 per year. The amount determined must be reduced and prorated per
 6.12 credit for part-time study. The maximum total amount of a scholarship per candidate is
 6.13 \$25,000 in a lifetime.

6.14 (c) Established amounts are not rulemaking for purposes of chapter 14 or section 14.386.

6.15 (d) Scholarships must be paid to the teacher preparation institution on behalf of the
 6.16 candidate after the institution has informed the office of candidates' names, self-identified
 6.17 racial and ethnic identities, gender, licensure area sought, and full-time or part-time status.

6.18 **EFFECTIVE DATE.** This section is effective July 1, 2020, and initial grants must be
 6.19 awarded by November 1, 2020.

6.20 Sec. 5. Minnesota Statutes 2018, section 136A.1275, subdivision 1, as amended by Laws
 6.21 2020, chapter 109, article 1, section 9, is amended to read:

6.22 Subdivision 1. **Establishment.** (a) The commissioner of the Office of Higher Education
 6.23 must establish a grant program for student teaching stipends for low-income students enrolled
 6.24 in a Professional Educator Licensing and Standards Board-approved teacher preparation
 6.25 program who ~~intend to teach~~ are student teaching in a licensure shortage area after graduating
 6.26 and receiving their teaching license or belong to an underrepresented ~~a~~ racial or ethnic group
 6.27 underrepresented in the teacher workforce.

6.28 (b) ~~"Shortage~~ For purposes of this grant program, "licensure shortage area" means a
 6.29 license field or economic development region within Minnesota defined as a shortage area
 6.30 by the Professional Educator Licensing and Standards Board in coordination with the
 6.31 commissioner using ~~determined by the Professional Educator Licensing and Standards~~
 6.32 Board in which the number of surveyed districts or schools within an economic development
 6.33 region reporting or predicting hiring a teacher for a specific licensure area as "very difficult"

7.1 is equal to or greater than the number of districts or schools reporting or predicting such
 7.2 hiring as "easy" in data collected for the teacher supply and demand report under section
 7.3 122A.091, subdivision 5.

7.4 Sec. 6. Minnesota Statutes 2019 Supplement, section 136A.1275, subdivision 2, is amended
 7.5 to read:

7.6 Subd. 2. **Eligibility.** To be eligible for a grant under this section, a student teacher
 7.7 candidate must:

7.8 (1) be enrolled in a Professional Educator Licensing and Standards Board-approved
 7.9 teacher preparation program that requires at least 12 weeks of student teaching to complete
 7.10 the program in order to be recommended for any Tier 3 teaching license from early childhood
 7.11 through grade 12;

7.12 (2) demonstrate financial need based on criteria established by the commissioner under
 7.13 subdivision 3;

7.14 (3) be meeting satisfactory academic progress as defined under section 136A.101,
 7.15 subdivision 10; and

7.16 (4) ~~intend to teach in~~ be completing a program in a licensure shortage area existing
 7.17 within the economic development region where either the candidate's preparation program
 7.18 or permanent residence is located, or belong to a racial or ethnic group underrepresented in
 7.19 the Minnesota teacher workforce. ~~Intent can be documented based on the teacher license~~
 7.20 ~~field the student is pursuing or a statement of intent to teach in an economic development~~
 7.21 ~~region defined as a shortage area in the year the student receives a grant.~~

7.22 Sec. 7. Minnesota Statutes 2019 Supplement, section 136A.1275, subdivision 3, is amended
 7.23 to read:

7.24 Subd. 3. **Administration; repayment.** (a) The commissioner must establish an
 7.25 application process and other guidelines for implementing this program.

7.26 (b) The commissioner must determine each academic year the stipend amount up to
 7.27 \$7,500 based on the amount of available funding, the number of eligible applicants, and the
 7.28 financial need of the applicants.

7.29 (c) In order to help improve all students' access to effective and diverse teachers, the
 7.30 percentage of the total award funds available at the beginning of the fiscal year reserved
 7.31 for teacher candidates who identify as belonging to a racial or ethnic group underrepresented
 7.32 in the Minnesota teacher workforce must be equal to or greater than the total percentage of

8.1 students ~~of~~ from all such underrepresented racial or ethnic groups ~~underrepresented in the~~
 8.2 ~~Minnesota teacher workforce~~ as measured under section 120B.35, subdivision 3. If this
 8.3 percentage cannot be met because of a lack of qualifying candidates, the remaining amount
 8.4 may be awarded to teacher candidates who intend to teach in a shortage area. Student teacher
 8.5 candidates who are of color or American Indian who have made satisfactory academic
 8.6 progress must have priority for receiving a grant from available funds to student teach and
 8.7 complete their preparation programs if they meet eligibility requirements and participated
 8.8 in the aspiring Minnesota teachers of color scholarship program under section 136A.1274.

8.9 Sec. 8. Minnesota Statutes 2018, section 136A.1791, subdivision 1, as amended by Laws
 8.10 2020, chapter 109, article 1, section 11, is amended to read:

8.11 Subdivision 1. **Definitions.** (a) The terms used in this section have the meanings given
 8.12 them in this subdivision.

8.13 (b) "Qualified educational loan" means a government, commercial, or foundation loan
 8.14 for actual costs paid for tuition and reasonable educational and living expenses related to a
 8.15 teacher's preparation or further education.

8.16 (c) "School district" means an independent school district, special school district,
 8.17 intermediate district, education district, special education cooperative, service cooperative,
 8.18 a cooperative center for vocational education, or a charter school located in Minnesota.

8.19 (d) "Teacher" means an individual holding a teaching license issued by the Professional
 8.20 Educator Licensing and Standards Board who is employed by a school district to provide
 8.21 classroom instruction or a Head Start or Early Head Start nonlicensed early childhood
 8.22 professional employed by a Head Start program under section 119A.50.

8.23 (e) "Teacher shortage area" means any of the following experiencing a teacher shortage
 8.24 as reported by the Professional Educator Licensing and Standards Board:

8.25 (1) the licensure fields ~~and~~ specific to particular economic development regions reported
 8.26 ~~by the Professional Educator Licensing and Standards Board in coordination with the~~
 8.27 ~~commissioner as experiencing a teacher shortage; and;~~

8.28 (2) individual economic development regions; or

8.29 (3) economic development regions where there is a shortage of licensed teachers who
 8.30 ~~reflect the racial or ethnic diversity of~~ are of color or who are American Indian where the
 8.31 aggregate percentage of this group of teachers is lower than the aggregate percentage of
 8.32 students of color and American Indian students in the region as reported by the Professional
 8.33 ~~Educator Licensing and Standards Board in coordination with the commissioner.~~

9.1 (f) "Commissioner" means the commissioner of the Office of Higher Education unless
9.2 indicated otherwise.

9.3 Sec. 9. Minnesota Statutes 2018, section 136A.1791, subdivision 2, is amended to read:

9.4 Subd. 2. **Program established; administration.** The commissioner ~~shall~~ must establish
9.5 and administer a teacher shortage loan forgiveness program. A teacher is eligible for the
9.6 program if the teacher is teaching in an identified teacher shortage area for the economic
9.7 development region in which the teacher works as defined in subdivision 1 and reported
9.8 under subdivision 3 and complies with the requirements of this section.

9.9 Sec. 10. Minnesota Statutes 2018, section 136A.1791, subdivision 3, as amended by Laws
9.10 2020, chapter 109, article 1, section 12, is amended to read:

9.11 Subd. 3. **Use of report on teacher shortage areas.** Using data collected for the teacher
9.12 supply and demand report to the legislature under section 122A.091, subdivision 5,
9.13 Professional Educator Licensing and Standards Board shall identify the licensure fields and
9.14 racial or ethnic groups in economic development regions in Minnesota experiencing a
9.15 teacher shortage.

9.16 Sec. 11. Minnesota Statutes 2018, section 136A.1791, subdivision 4, is amended to read:

9.17 Subd. 4. **Application for loan forgiveness.** Each applicant for loan forgiveness, according
9.18 to rules adopted by the commissioner, ~~shall~~ must:

9.19 (1) apply for teacher shortage loan forgiveness and promptly submit any additional
9.20 information required by the commissioner; and

9.21 (2) submit to the commissioner a completed affidavit, prescribed by the commissioner,
9.22 affirming the teacher is teaching in: ~~(i) a licensure field identified by the commissioner as~~
9.23 ~~experiencing a teacher shortage; or (ii) an economic development region identified by the~~
9.24 ~~commissioner as experiencing a teacher shortage~~ a shortage area.

9.25 Sec. 12. Minnesota Statutes 2018, section 136A.1791, subdivision 5, is amended to read:

9.26 Subd. 5. **Amount of loan forgiveness.** (a) To the extent funding is available, the annual
9.27 amount of teacher shortage loan forgiveness for an approved applicant ~~shall~~ as a teacher in
9.28 any shortage area must not exceed \$1,000 \$2,000 or the cumulative balance of the applicant's
9.29 qualified educational loans, including principal and interest, whichever amount is less. To
9.30 support the retention of teachers who are of color or American Indian and to the extent there
9.31 are sufficient applications, the percentage of loan repayments granted to teachers of color

10.1 and American Indian teachers must at least be equivalent to the aggregated percentage of
10.2 students of color and American Indian students in the state.

10.3 (b) Notwithstanding paragraph (a), applicants who meet both licensure field and
10.4 underrepresented racial or ethnic group eligibility in their economic development region
10.5 may receive an annual amount of up to \$4,000 or the cumulative balance of the applicant's
10.6 qualified educational loans, including principal and interest, whichever amount is less.

10.7 ~~(b)~~ (c) Recipients must secure their own qualified educational loans. Teachers who
10.8 graduate from an approved teacher preparation program or teachers who add a licensure
10.9 field, consistent with the teacher shortage requirements of this section, are eligible to apply
10.10 for the loan forgiveness program.

10.11 ~~(e)~~ (d) No teacher shall may receive more than ~~five~~ ten annual awards.

10.12 Sec. 13. Laws 2019, First Special Session chapter 11, article 3, section 22, subdivision 3,
10.13 is amended to read:

10.14 Subd. 3. **Mentoring, induction, and retention incentive program grants for teachers**
10.15 **of color.** (a) For the development and expansion of mentoring, induction, and retention
10.16 programs for teachers of color or American Indian teachers under Minnesota Statutes,
10.17 section 122A.70:

10.18	\$	750,000	2020
10.19		750,000		
10.20	\$	<u>2,250,000</u>	2021

10.21 (b) The board may retain up to five percent of the appropriation amount for monitoring
10.22 and administering the grant program and may have an interagency agreement with the
10.23 Department of Education including transfer of funds to help administer the program.

10.24 (c) Any balance in the first year does not cancel but is available in the second year.

10.25 (d) The base for fiscal year 2022 and later is ~~\$750,000~~ and the base for fiscal year 2023
10.26 is ~~\$742,000~~ \$2,250,000.

10.27 Sec. 14. Laws 2019, First Special Session chapter 11, article 3, section 23, subdivision 5,
10.28 is amended to read:

10.29 Subd. 5. **American Indian teacher preparation grants.** (a) For joint grants to assist
10.30 people who are American Indian to become teachers under Minnesota Statutes, section
10.31 122A.63:

11.1 \$ 460,000 2020

11.2 ~~460,000~~

11.3 \$ 1,060,000 2021

11.4 (b) Any balance in the first year does not cancel but is available in the second year.

11.5 (c) The base for fiscal year 2022 and later is \$1,060,000.

11.6 Sec. 15. **APPROPRIATIONS.**

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

11.10 Subd. 2. Inclusive school enhancement grants. (a) To support schools in their efforts
11.11 to close opportunity and achievement gaps under Minnesota Statutes, section 120B.113:

11.12 \$ 2,500,000 2021

11.13 (b) The department may use up to five percent of this appropriation to administer the
11.14 grant program.

11.15 Subd. 3. Come Teach in Minnesota hiring bonuses. (a) For the Come Teach in
11.16 Minnesota hiring bonuses program under Minnesota Statutes, section 122A.59:

11.17 \$ 1,000,000 2021

11.18 (b) The department may use up to five percent of the appropriation amount to administer
11.19 the program under this subdivision.

11.20 Subd. 4. Aspiring Minnesota teachers of color scholarships. (a) For transfer to the
11.21 Office of Higher Education for scholarships to candidates preparing to teach in licensure
11.22 or demographic shortage areas under Minnesota Statutes, section 136A.1274:

11.23 \$ 5,000,000 2021

11.24 (b) The Office of Higher Education may use no more than three percent of the
11.25 appropriation amount to administer the program under this subdivision.

11.26 Subd. 5. Student teacher candidate grants in shortage areas. (a) For transfer to the
11.27 Office of Higher Education for the student teacher candidate grants in shortage areas program
11.28 under Minnesota Statutes, section 136A.1275, directed to support candidates belonging to
11.29 a racial or ethnic group underrepresented in the teacher workforce and meeting other
11.30 eligibility requirements:

11.31 \$ 1,000,000 2021

12.1 (b) The Office of Higher Education may use no more than three percent of the
 12.2 appropriation amount to administer the program under this subdivision.

12.3 Subd. 6. **Teacher shortage loan forgiveness program.** (a) For transfer to the Office of
 12.4 Higher Education for the teacher shortage loan forgiveness program under Minnesota
 12.5 Statutes, section 136A.1791, specific to teachers defined in Minnesota Statutes, section
 12.6 136A.1791, subdivision 1, paragraph (e), clause (3):

12.7 § 1,000,000 2021

12.8 (b) The Office of Higher Education may use no more than three percent of the
 12.9 appropriation amount to administer the program under this subdivision.

12.10 Subd. 7. **Teacher recruitment marketing campaign.** (a) For transfer to the Professional
 12.11 Educator Licensing and Standards Board for developing two contracts to develop and
 12.12 implement an outreach and marketing campaign under this subdivision:

12.13 § 500,000 2021

12.14 (b) The Professional Educator Licensing and Standards Board must issue a request for
 12.15 proposals to develop and implement an outreach and marketing campaign to elevate the
 12.16 profession and recruit teachers, especially teachers of color and American Indian teachers.
 12.17 Outreach efforts should include and support current and former Teacher of the Year finalists
 12.18 interested in being recruitment fellows to encourage prospective educators throughout the
 12.19 state.

12.20 (c) The outreach and marketing campaign must focus on making the following individuals
 12.21 become interested in teaching in Minnesota public schools:

12.22 (1) high school and college students of color or American Indian students who have not
 12.23 chosen a career path; or

12.24 (2) adults from racial or ethnic groups underrepresented in the teacher workforce who
 12.25 may be seeking to change careers.

12.26 (d) The board must award two \$250,000 grants each year to firms or organizations that
 12.27 demonstrate capacity to reach wide and varied audiences of prospective teachers based on
 12.28 a work plan with quarterly deliverables. Preferences should be given to firms or organizations
 12.29 that are led by people of color and that have people of color working on the campaign with
 12.30 a proven record of success. The grant recipients must recognize current pathways or programs
 12.31 to become a teacher and must partner with educators, schools, institutions, and racially
 12.32 diverse communities. The grant recipients are encouraged to provide in-kind contributions
 12.33 or seek funds from nonstate sources to supplement the grant award.

13.1 (e) The board may use no more than three percent of the appropriation amount to
 13.2 administer the program under this subdivision, and may have an interagency agreement
 13.3 with the Department of Education including transfer of funds to help administer the program.

13.4 **EFFECTIVE DATE.** This section is effective July 1, 2020.

13.5 **ARTICLE 2**

13.6 **EARLY EDUCATION**

13.7 Section 1. Minnesota Statutes 2019 Supplement, section 124D.151, subdivision 6, is
 13.8 amended to read:

13.9 Subd. 6. **Participation limits.** (a) Notwithstanding section 126C.05, subdivision 1,
 13.10 paragraph (d), the pupil units for a voluntary prekindergarten program for an eligible school
 13.11 district or charter school must not exceed 60 percent of the kindergarten pupil units for that
 13.12 school district or charter school under section 126C.05, subdivision 1, paragraph (e).

13.13 (b) In reviewing applications under subdivision 5, the commissioner must limit the total
 13.14 number of participants in the voluntary prekindergarten and school readiness plus programs
 13.15 under Laws 2017, First Special Session chapter 5, article 8, section 9, to not more than ~~7,160~~
 13.16 13,160 participants for fiscal years ~~2019, 2020, and 2021,~~ 2022, and 2023, and ~~3,160~~ 9,160
 13.17 participants for fiscal years ~~2022~~ 2024 and later.

13.18 **EFFECTIVE DATE.** This section is effective for revenue for fiscal year 2021 and later.

13.19 Sec. 2. Minnesota Statutes 2018, section 124D.16, subdivision 2, is amended to read:

13.20 Subd. 2. **Amount of aid.** (a) A district is eligible to receive school readiness aid for
 13.21 eligible prekindergarten pupils enrolled in a school readiness program under section 124D.15
 13.22 if the biennial plan required by section 124D.15, subdivision 3a, has been approved by the
 13.23 commissioner.

13.24 (b) A district must receive school readiness aid equal to:

13.25 (1) the number of four-year-old children in the district on October 1 for the previous
 13.26 school year times the ratio of 50 percent of the total school readiness aid for that year to the
 13.27 total number of four-year-old children reported to the commissioner for the previous school
 13.28 year; plus

13.29 (2) the number of pupils enrolled in the school district from families eligible for the free
 13.30 or reduced school lunch program for the previous school year times the ratio of 50 percent

14.1 of the total school readiness aid for that year to the total number of pupils in the state from
 14.2 families eligible for the free or reduced school lunch program for the previous school year.

14.3 (c) The total school readiness aid entitlement equals ~~\$23,558,000~~ \$55,905,000 for fiscal
 14.4 year ~~2016~~ 2021, \$53,636,000 for fiscal year 2022, \$53,688,000 for fiscal year 2023, and
 14.5 ~~\$33,683,000~~ \$53,683,000 for fiscal year ~~2017~~ 2024 and later.

14.6 **EFFECTIVE DATE.** This section is effective for revenue for fiscal year 2021 and later.

14.7 Sec. 3. Minnesota Statutes 2019 Supplement, section 126C.05, subdivision 1, is amended
 14.8 to read:

14.9 Subdivision 1. **Pupil unit.** Pupil units for each Minnesota resident pupil under the age
 14.10 of 21 or who meets the requirements of section 120A.20, subdivision 1, paragraph (c), in
 14.11 average daily membership enrolled in the district of residence, in another district under
 14.12 sections 123A.05 to 123A.08, 124D.03, 124D.08, or 124D.68; in a charter school under
 14.13 chapter 124E; or for whom the resident district pays tuition under section 123A.18, 123A.22,
 14.14 123A.30, 123A.32, 123A.44, 123A.488, 123B.88, subdivision 4, 124D.04, 124D.05, 125A.03
 14.15 to 125A.24, 125A.51, or 125A.65, shall be counted according to this subdivision.

14.16 (a) A prekindergarten pupil with a disability who is enrolled in a program approved by
 14.17 the commissioner and has an individualized education program is counted as the ratio of
 14.18 the number of hours of assessment and education service to 825 times 1.0 with a minimum
 14.19 average daily membership of 0.28, but not more than 1.0 pupil unit.

14.20 (b) A prekindergarten pupil who is assessed but determined not to be disabled is counted
 14.21 as the ratio of the number of hours of assessment service to 825 times 1.0.

14.22 (c) A kindergarten pupil with a disability who is enrolled in a program approved by the
 14.23 commissioner is counted as the ratio of the number of hours of assessment and education
 14.24 services required in the fiscal year by the pupil's individualized education program to 875,
 14.25 but not more than one.

14.26 (d) A prekindergarten pupil who is not included in paragraph (a) or (b) and is enrolled
 14.27 in an approved voluntary prekindergarten program under section 124D.151 is counted as
 14.28 the ratio of the number of hours of instruction to 850 times 1.0, but not more than 0.6 pupil
 14.29 units.

14.30 (e) A kindergarten pupil who is not included in paragraph (c) is counted as 1.0 pupil
 14.31 unit if the pupil is enrolled in a free all-day, every day kindergarten program available to
 14.32 all kindergarten pupils at the pupil's school that meets the minimum hours requirement in

15.1 section 120A.41, or is counted as .55 pupil unit, if the pupil is not enrolled in a free all-day,
 15.2 every day kindergarten program available to all kindergarten pupils at the pupil's school.

15.3 (f) A pupil who is in any of grades 1 to 6 is counted as 1.0 pupil unit.

15.4 (g) A pupil who is in any of grades 7 to 12 is counted as 1.2 pupil units.

15.5 (h) A pupil who is in the postsecondary enrollment options program is counted as 1.2
 15.6 pupil units.

15.7 (i) For fiscal years 2018 through ~~2021~~ 2023, a prekindergarten pupil who:

15.8 (1) is not included in paragraph (a), (b), or (d);

15.9 (2) is enrolled in a school readiness plus program under Laws 2017, First Special Session
 15.10 chapter 5, article 8, section 9; and

15.11 (3) has one or more of the risk factors specified by the eligibility requirements for a
 15.12 school readiness plus program,

15.13 is counted as the ratio of the number of hours of instruction to 850 times 1.0, but not more
 15.14 than 0.6 pupil units. A pupil qualifying under this paragraph must be counted in the same
 15.15 manner as a voluntary prekindergarten student for all general education and other school
 15.16 funding formulas.

15.17 **EFFECTIVE DATE.** This section is effective for revenue for fiscal year 2021 and later.

15.18 Sec. 4. Minnesota Statutes 2019 Supplement, section 126C.05, subdivision 3, is amended
 15.19 to read:

15.20 Subd. 3. **Compensation revenue pupil units.** Compensation revenue pupil units for
 15.21 fiscal year 1998 and thereafter must be computed according to this subdivision.

15.22 (a) The compensation revenue concentration percentage for each building in a district
 15.23 equals the product of 100 times the ratio of:

15.24 (1) the sum of the number of pupils enrolled in the building eligible to receive free lunch
 15.25 plus one-half of the pupils eligible to receive reduced priced lunch on October 1 of the
 15.26 previous fiscal year; to

15.27 (2) the number of pupils enrolled in the building on October 1 of the previous fiscal
 15.28 year.

15.29 (b) The compensation revenue pupil weighting factor for a building equals the lesser of
 15.30 one or the quotient obtained by dividing the building's compensation revenue concentration
 15.31 percentage by 80.0.

16.1 (c) The compensation revenue pupil units for a building equals the product of:

16.2 (1) the sum of the number of pupils enrolled in the building eligible to receive free lunch
16.3 and one-half of the pupils eligible to receive reduced priced lunch on October 1 of the
16.4 previous fiscal year; times

16.5 (2) the compensation revenue pupil weighting factor for the building; times

16.6 (3) .60.

16.7 (d) Notwithstanding paragraphs (a) to (c), for voluntary prekindergarten programs under
16.8 section 124D.151, charter schools, and contracted alternative programs in the first year of
16.9 operation, compensation revenue pupil units shall be computed using data for the current
16.10 fiscal year. If the voluntary prekindergarten program, charter school, or contracted alternative
16.11 program begins operation after October 1, compensatory revenue pupil units shall be
16.12 computed based on pupils enrolled on an alternate date determined by the commissioner,
16.13 and the compensation revenue pupil units shall be prorated based on the ratio of the number
16.14 of days of student instruction to 170 days.

16.15 ~~(e) Notwithstanding paragraphs (a) to (c), for voluntary prekindergarten seats discontinued~~
16.16 ~~in fiscal year 2022 due to the reduction in the participation limit under section 124D.151,~~
16.17 ~~subdivision 6, those discontinued seats must not be used to calculate compensation revenue~~
16.18 ~~pupil units for fiscal year 2022.~~

16.19 ~~(f)~~ The percentages in this subdivision must be based on the count of individual pupils
16.20 and not on a building average or minimum.

16.21 Sec. 5. Minnesota Statutes 2019 Supplement, section 126C.10, subdivision 2d, is amended
16.22 to read:

16.23 Subd. 2d. **Declining enrollment revenue.** ~~(a)~~ A school district's declining enrollment
16.24 revenue equals the greater of zero or the product of: (1) 28 percent of the formula allowance
16.25 for that year and (2) the difference between the adjusted pupil units for the preceding year
16.26 and the adjusted pupil units for the current year.

16.27 ~~(b) Notwithstanding paragraph (a), for fiscal year 2022 only, prekindergarten pupil units~~
16.28 ~~under section 126C.05, subdivision 1, paragraph (d), must be excluded from the calculation~~
16.29 ~~of declining enrollment revenue.~~

17.1 Sec. 6. Laws 2019, First Special Session chapter 11, article 8, section 13, subdivision 2,
17.2 is amended to read:

17.3 Subd. 2. **School readiness.** (a) For revenue for school readiness programs under
17.4 Minnesota Statutes, sections 124D.15 and 124D.16:

17.5 \$ 33,683,000 2020

17.6 ~~33,683,000~~

17.7 \$ 53,683,000 2021

17.8 (b) The 2020 appropriation includes \$3,368,000 for 2019 and \$30,315,000 for 2020.

17.9 (c) The 2021 appropriation includes \$3,368,000 for 2020 and ~~\$30,315,000~~ \$50,315,000
17.10 for 2021.

17.11 **EFFECTIVE DATE.** This section is effective July 1, 2020.

17.12 Sec. 7. **APPROPRIATIONS.**

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

17.16 Subd. 2. Voluntary prekindergarten program. (a) For the voluntary prekindergarten
17.17 program under Minnesota Statutes, section 124D.151:

17.18 \$ 30,339,304 2021

17.19 (b) The fiscal year 2021 appropriation includes \$0 for 2020 and \$30,339,304 for fiscal
17.20 year 2021.

17.21 (c) The commissioner must proportionately allocate the amounts appropriated in this
17.22 subdivision among each education funding program affected by the enrollment of voluntary
17.23 prekindergarten pupils.

17.24 **ARTICLE 3**

17.25 **EDUCATION EXCELLENCE**

17.26 Section 1. **DISTANCE LEARNING BROADBAND ACCESS GRANT PROGRAM.**

17.27 Subdivision 1. Definition. For the purposes of this section, "commissioner" means the
17.28 commissioner of education.

17.29 Subd. 2. Establishment. A distance learning broadband access grant program is
17.30 established in the Department of Education to provide temporary wireless or wire-line

18.1 broadband access to students currently lacking Internet access so that the students may
18.2 participate in distance learning offered by school districts and charter schools during the
18.3 peacetime public health emergency period that relates to the infectious disease known as
18.4 COVID-19.

18.5 Subd. 3. **Eligible expenditures.** A grant awarded under this section may be used to:

18.6 (1) provide a student with a data card, USB modem, or other mobile or temporary
18.7 broadband device that enables the student to access learning materials available on the
18.8 Internet through a mobile or temporary wireless or wire-line broadband connection;

18.9 (2) reimburse a school district or charter school for actual costs incurred to provide
18.10 emergency distance learning wireless or wire-line broadband access during the 2019-2020
18.11 school year; and

18.12 (3) reimburse a school district or charter school for the cost of wireless or wire-line
18.13 broadband Internet access for households with students that did not otherwise have Internet
18.14 access before March 13, 2020, for the 2019-2020 school year.

18.15 Subd. 4. **Eligible applicants.** A Minnesota school district or charter school may apply
18.16 for a grant award under this section.

18.17 Subd. 5. **Application review.** (a) An applicant for a grant under this section must file
18.18 an application with the commissioner on a form developed by the commissioner. The
18.19 commissioner may consult with the commissioner of employment and economic development
18.20 when developing the form.

18.21 (b) An application for a grant under this subdivision must describe a school district's or
18.22 charter school's approach to identify and prioritize access for students unable to access the
18.23 Internet for distance learning and may include a description of local or private matching
18.24 grants or in-kind contributions.

18.25 (c) A school district or charter school may develop its application in cooperation with
18.26 the school district's or charter school's community education department, the school district's
18.27 or charter school's adult basic education program provider, a public library, an Internet
18.28 service provider, or other community partner.

18.29 (d) The commissioner must award grants under this section on a first-come, first-served
18.30 basis.

18.31 (e) The commissioner must develop administrative procedures governing the application
18.32 and grant award process.

19.1 Subd. 6. **Grant amount.** The commissioner must establish a maximum per-pupil amount
 19.2 for grants awarded under this section based on (1) the number of districts and charter schools
 19.3 that apply for a grant, and (2) the availability of federal money for a similar purpose.

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

19.5 Sec. 2. **PERMANENT SCHOOL FUND; SEPTEMBER 2020 APPORTIONMENT.**

19.6 Notwithstanding any law to the contrary, a school district or charter school must use the
 19.7 September, 2020, permanent school fund apportionment under Minnesota Statutes, section
 19.8 127A.33, to provide mental health services and support for students or to purchase
 19.9 educational technology for students, including hardware, software, or connectivity.

19.10 Sec. 3. **APPROPRIATION.**

19.11 \$8,000,000 in fiscal year 2020 is appropriated from the general fund to the commissioner
 19.12 of employment and economic development for transfer to the commissioner of education
 19.13 for emergency distance learning wireless or wire-line broadband access for student grants
 19.14 for school districts and charter schools under section 1. Up to five percent of the appropriation
 19.15 under this paragraph may be used to reimburse reasonable costs incurred by the Department
 19.16 of Education to administer section 1. This is a onetime appropriation. Any funds that remain
 19.17 unexpended on September 30, 2020, are transferred to the border-to-border broadband fund
 19.18 account established in Minnesota Statutes, section 116J.396. By December 1, 2020, the
 19.19 commissioner of education must report to the legislature regarding the number of districts
 19.20 and charter schools that received grants under section 1 and the number of students that
 19.21 were provided Internet access. The report must also identify the costs to administer the grant
 19.22 program and the amount transferred to the border-to-border broadband fund.

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

19.24 Sec. 4. **APPROPRIATIONS.**

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

19.28 Subd. 2. **Full-service community schools.** For full-service community schools under
 19.29 Minnesota Statutes, section 124D.231:

19.30 \$ 10,000,000 2021

20.1 Up to \$50,000 is for administration of this program. The base for fiscal year 2022 is
 20.2 \$10,000,000.

20.3 Subd. 3. **Support our students grants.** (a) For support our students grants under Laws
 20.4 2016, chapter 189, article 25, section 56:

20.5 \$ 13,000,000 2021

20.6 (b) Notwithstanding Minnesota Statutes, section 16A.28, this appropriation is available
 20.7 until June 30, 2026. Any balance remaining after June 30, 2026, cancels to the general fund.