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State of Minnesota

HOUSE OF REPRESENTATIVES

NINETY-FIRST SESSION

H. F. No. 1742

02/27/2019 Authored by Kotyza-Witthuhn, Hamilton, Pinto, Baker, Davnie and others
The bill was read for the first time and referred to the Committee on Ways and Means

1.1 A bill for an act
1.2 relating to education; increasing participation limits in voluntary prekindergarten
1.3 programs; amending Minnesota Statutes 2018, sections 124D.151, subdivision 6;
1.4 126C.05, subdivision 1; Laws 2017, First Special Session chapter 5, article 8,
1.5 section 8.

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

1.7 Section 1. Minnesota Statutes 2018, section 124D.151, subdivision 6, is amended to read:

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

1.12 (b) In reviewing applications under subdivision 5, the commissioner must limit the
1.13 estimated state aid entitlement approved under this section to \$27,092,000 for fiscal year
1.14 2017. If the actual state aid entitlement based on final data exceeds the limit in any year,
1.15 the aid of the participating districts must be prorated so as not to exceed the limit.

1.16 (c) The commissioner must limit the total number of funded participants in the voluntary
1.17 prekindergarten program under this section to not more than 3,160.

1.18 (d) Notwithstanding paragraph (c), (b) The commissioner must limit the combined total
1.19 number of participants in the voluntary prekindergarten program under this section and the
1.20 school readiness plus programs program under Laws 2017, First Special Session chapter 5,
1.21 article 8, section 9, to not more than 6,160 participants for fiscal year 2018 and 7,160
1.22 participants for a fiscal year 2019.

1.23 EFFECTIVE DATE. This section is effective July 1, 2019.

2.1 Sec. 2. Minnesota Statutes 2018, section 126C.05, subdivision 1, is amended to read:

2.2 Subdivision 1. **Pupil unit.** Pupil units for each Minnesota resident pupil under the age
2.3 of 21 or who meets the requirements of section 120A.20, subdivision 1, paragraph (c), in
2.4 average daily membership enrolled in the district of residence, in another district under
2.5 sections 123A.05 to 123A.08, 124D.03, 124D.08, or 124D.68; in a charter school under
2.6 chapter 124E; or for whom the resident district pays tuition under section 123A.18, 123A.22,
2.7 123A.30, 123A.32, 123A.44, 123A.488, 123B.88, subdivision 4, 124D.04, 124D.05, 125A.03
2.8 to 125A.24, 125A.51, or 125A.65, shall be counted according to this subdivision.

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

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

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

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

2.23 (e) A kindergarten pupil who is not included in paragraph (c) is counted as 1.0 pupil
2.24 unit if the pupil is enrolled in a free all-day, every day kindergarten program available to
2.25 all kindergarten pupils at the pupil's school that meets the minimum hours requirement in
2.26 section 120A.41, or is counted as .55 pupil unit, if the pupil is not enrolled in a free all-day,
2.27 every day kindergarten program available to all kindergarten pupils at the pupil's school.

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

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

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

2.32 (i) ~~For fiscal years 2018 and 2019 only,~~ A prekindergarten pupil who:

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

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

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

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

3.10 **EFFECTIVE DATE.** This section is effective July 1, 2019.

3.11 Sec. 3. Laws 2017, First Special Session chapter 5, article 8, section 8, the effective date,
3.12 is amended to read:

3.13 **EFFECTIVE DATE.** Paragraph (i) of this section ~~expires at the end of fiscal year 2019~~
3.14 does not expire.

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